ACTA HISTRIAE

23, 2015, 2



UDK/UDC 94(05) ACTA HISTRIAE 23, 2015, 2, pp. 153-308 ISSN 1318-0185

UDK/UDC 94(05) ISSN 1318-0185

Zgodovinsko društvo za južno Primorsko - Koper
Società storica del Litorale - Capodistria

ACTA HISTRIAE
23, 2015, 2

KOPER 2015

ISSN 1318-0185 UDK/UDC 94(05) Letnik 23, leto 2015, številka 2

Izdajatelj/*Editore/ Published by:* Zgodovinsko društvo za južno Primorsko / Società storica del Litorale©

Sedež/*Sede/Address:* Zgodovinsko društvo za južno Primorsko, SI-6000
Koper-Capodistria, Kreljeva 3 / Via Krelj 3,
tel.: +386 5 6273-296; fax: +386 5 6273-296;
e-mail: actahistriae@gmail.com; www.zdjp.si

Tisk/*Stampa/Print:* Grafis trade d.o.o.

Naklada/Tiratura/Copies: 300 izvodov/copie/copies

Finančna podpora/ ***Supporto finanziario/ Financially supported by:*** Javna agencija za raziskovalno dejavnost Republike Slovenije / Slovenian Research Agency

Slika na naslovnici/ ***Foto di copertina/ Picture on the cover:*** Detajl reliefa po Maurits Cornelis Escher (Haag, Nizozemska) / Dettaglio del rilievo dedicato a Maurits Cornelis Escher (Aja, Olanda) / A detail of the relief after Maurits Cornelis Escher (The Hague, Netherlands) (Public domain: http://commons.wikimedia.org/wiki/File:Denhaag_relief_houtrustweg2.jpg)

Redakcija te številke je bila zaključena 2. junija 2015.

Revija Acta Histriae je vključena v naslednje podatkovne baze / Gli articoli pubblicati in questa rivista sono inclusi nei seguenti indici di citazione / Articles appearing in this journal are abstracted and indexed in: Thomson Reuters: Social Sciences Citation Index (SSCI), Social Scisearch, Arts and Humanities Citation Index (A&HCI), Journal Citation Reports / Social Sciences Edition (USA); IBZ, Internationale Bibliographie der Zeitschriftenliteratur (GER); International Bibliography of the Social Sciences (IBSS) (UK); Referativnyi Zhurnal Viniti (RUS); European Reference Index for the Humanities (ERIH); Elsevier B. V.: SCOPUS (NL)

VSEBINA / *INDICE GENERALE* / *CONTENTS*

Received: 2014-10-23
Original scientific article

UDC 811.124'02:091

CONTAMINAZIONE IN FILOLOGIA

Gino BELLONI
Università Ca' Foscari Venezia, Dipartimento di Studi Umanistici, Dorsoduro 3484/D, 30123 Venezia, Italia
e-mail: bell@unive.it

SINTESI

La dipendenza di un testimone da un altro, nella ricostruzione di un testo antico, è il presupposto per tracciare un albero genealogico. Senza di esso è impossibile operare a favore della ricostruzione di quel testo, cioè ristabilirne l'originale, o meglio condurlo allo stadio più corretto rispetto all'originale. Se un copista non si serve di un solo modello, ma ricorre ad un altro anche per parziali tratti o per singole lezioni, questo ideale processo viene interrotto provocando una perturbazione che si riflette nella costituzione della genealogia. Questa perturbazione si chiama contaminazione. È un fenomeno che si è via via dimostrato sempre meno raro nella tradizione classica e costituisce un problema ancora discusso nella filologia classica e moderna.

Parole chiave: filologia, tradizione manoscritta, copisti, critica testuale, metodo di Lachmann, stemma codicum, perturbazione

CONTAMINATION IN PHILOLOGY

ABSTRACT

In the field of Textual Criticism, the dependence of an exemplar from another is a necessary prerequisite when drawing a family tree or stemma codicum. In its absence, it is impossible to try and reconstruct a text, that is to re-establish the original, or rather establish a version as close as possible to the original. If a scribe did not copy his text from a single exemplar only, but made also use of another, even though partially or only for individual variant readings, the ideal process of reconstruction of the original text is interrupted and the interference may hinder the re-constitution of its family tree. This interference is known as contamination. The phenomenon has proved to be more and more frequent in the tradition of classical texts and is still a debated problem to scholars in classical and modern philology.

Key words: philology, manuscript tradition, copyists, textual criticism, Lachmannian stematics, stemma codicum, perturbation

Il verbo latino contamino-are ha che fare con tangere con cui condivide la radice tag-. Prevede un non attestato *taminare ‘toccare’, del quale resta documentato il solo tardo composto attamino-are. Nel significato di toccare, contaminare indicherebbe una azione né buona né cattiva. Ma subito dall’inizio, in una china deteriore, il contaminare diventa evento negativo, nonostante l’atto del toccare, di per se stesso, sia neutro, e anzi, complice l’arte, come ci ricorda il Michelangelo della Sistina, possa suggerire una connotazione di grado positivo assoluto: un tocco vivifico, momentaneo, l’atto immediato della scintilla della vita. Ma l’azione del contaminare non è semplicemente quella del toccare, e non è – soprattutto – immediata: il prefisso latino CUM, come solo all’inizio del ’900 la filologia classica ha chiarito, possiede valore non solo comitativo (per capirci con-duco) ma anche perfettivo, e questa funzione sottolinea il compimento e quasi la consunzione di taminare come “continuare a toccare, usurare”. Il perfettivo latino preverbale CUM> con è insomma già alla base della negatività del contaminare, perché l’azione continuata finisce per usurare, ed il significato di usurare si dilata subito nei territori della corruzione, del contagio, dell’infezione, della malattia, dell’insozzamento, e via via attraverso le estensioni figurate, della vergogna morale, dell’offesa all’onore, ben presto anche del sacrilegio. La letteratura patristica ed il Medioevo hanno sfruttato a fondo i territori di questa negatività intesa in senso morale.

La sopravvivenza del significato – come dire? – neutro, del “contatto”, nel lessico italiano si attiva in ambito dotto, con diverse possibilità a cominciare dal campo delle arti figurative e della letteratura[1]. Da diversi ambiti e punti di osservazione, sulla storia, le società, i popoli, l’antropologia, e via dicendo, il concetto può occupare le due aree: il campo semantico della negatività, ed il territorio opposto, di arricchimento, quale per situazioni diverse la commistione può produrre.

Ma in filologia, per tornare all’angolazione particolare nostra – chiarisco subito, per evitare equivoci, che con filologia qui indico specificamente la critica testuale – la negatività del termine possiede una storia quasi senza riscatto: si tratta degli effetti deleteri di un rimescolamento di diversi rivoli procedenti dall’originale alveo della trasmissione di un testo, per usare la metafora del fiume o di una strada (qui oltre, figura 3): anche se il fatto in sé, nella vicenda tribolata di un messaggio – e se non si badi allo stretto concetto di “originale” – potrebbe avere una valenza positiva, ed aver assicurato all’opera una sussistenza[2], la commistione anche limitata o parziale e saltuaria di due o più rivoli dello

1 Non sarà un caso che i Dizionari italiani affidino al latinista Pascoli il riadattamento dell’uso come «fusione o giustapposizione di elementi disparati, provenienti da tradizioni o da stili diversi, nella composizione di un’opera artistica o di eventi storici in un racconto unico»: così il grande Dizionario Battaglia, s.v. Ma per tornare al lessico latino, Ernout-Meillet ci mettono davanti questa flagrante negatività citando la chiosa antica di Elio Donato all’Andria: contaminare proprie est manibus luto plenis aliquid attingere et polluere. Lo stesso polluere, si badi, viene da lutum. Oltre a Elio Donato, nei secoli successivi sulle due attestazioni di contaminare usate da Terenzio sono corse centinaia di pagine di studiosi interessati a disquisire quale fosse il reale significato del verbo per il commediografo latino in relazione alla polemica sollevata contro di lui a proposito dell’utilizzo della fabula greca. Lì si trattava di una questione drammaturgica, e di interpretare il significato – sconciatura o commistione? – a proposito dell’inserzione di elementi tratti da altro modello, all’interno di un canone.

2 Basti questa osservazione di Segre, 1961, 67: «Se si pensa che i codici hanno in genere una discendenza

stesso testo in unica confluenza nel mezzo della trasmissione crea un sicuro danno al restauratore del poi (filologia) in relazione al compito suo, che è quello di operare a favore della restituzione del testo primario.

La contaminazione nella critica del testo è sempre avvertita a partire dal poi come di disturbo, intralcio, necessario a dar un senso a fenomeni rispetto a quelli accertati studiando la parentela dei testimoni. Si capisce bene che esso possa essere talvolta un comodo espediente per chi i conti non riesce a farli, ma non è il caso di discutere questo aspetto.

Resta che le tracce di tale turbamento si vedono da accertamenti posteriori sulla tradizione (= tutti i testimoni rimasti). È normale che la contaminazione nella constitutio textus (= operazione di restauro del testo) si possa decidere solo in presenza di altri testimoni non contaminati, anche se in teoria l'ipotesi di un testimone unico al quale si possa applicare l'ipotesi sarebbe possibile, in concorrenza con altri incidenti che ne abbiano scombinato il dettato.

Fu, in Italia, il grande filologo classico Giorgio Pasquali a redigere nel 1934 per il X volume della Enciclopedia Italiana Treccani la voce Edizione critica, con un saggio di grande acribia[3]. Ivi si dà contezza anche delle varie fasi operative del filologo, sin dalla separazione fra i due momenti di lavoro: recensio (completa raccolta delle testimonianze, e loro esame) ed emendatio (le operazioni di correzione del testo guasto ricostruito, ex post, come capostipite di tutta la tradizione rimasta)[4]. In questo saggio Pasquali può discorrere della contaminazione senza soffermarsi sul concetto, ma presupponendone la specificità. Con le sue parole: «Solo recentemente si è veduto come anche tradizioni del primo medioevo greco e latino, che parevano une, derivassero in fatto da contaminazione, da recensione».[5]

---

tanto più esigua quanto essi sono più vicini all'originale che la costituzione di una vulgata tende ad eliminare i testimoni isolati, i quali sono spesso i più puri; che infine la dignità esteriore di un codice, e perciò la sua idoneità alla diffusione, dipende spesso dalla fortuna dell'opera che vi è trascritta, e pertanto appartiene ad un segmento cronologico relativamente lontano dal punto di origine, riuscirà abbastanza evidente che la possibilità che qualche contaminazione, specie se appartenga ad epoca abbastanza alta, costituisca l'ultima traccia di rivoli della tradizione testuale subito disseccatisi».

3 Nelle aule universitarie la scuola di fine secolo, quella della mia generazione, ne risultava ancora debitrice. Nonostante i molti progressi del metodo da allora in poi, quel saggio conserva e registra ancor oggi fondamenta solide del metodo di restauro dei testi antichi.

4 Ancor oggi si pubblicano i testi di Pasquali, e di altri pochi maestri della filologia e della linguistica, come fondamento di quelle discipline. È dell'altrieri p. es. Barbi, Pasquali, Nencioni, 2012, dove si raccolgono studi del '35 (Barbi), '41 (Pasquali), e '55 (Nencioni), come caposaldi della metodologia moderna.

5 Pasquali cita, a proposito di un testo in cui i vari rappresentanti sono contaminati, la edizione della Storia ecclesiastica di Eusebio, capolavoro critico di Edward Schwartz. Quanto al termine recensione, pure "tecnico" della filologia, deve essere inteso qui per sineddoche nel significato di collazione, confronto, nel senso di esito di confronto: perché il Pasquali include nel concetto di recensio anche la valutazione dei testimoni (che poi si è distinta: collatio = confronto). Vuol dire, Pasquali, che allora, negli anni '30, si veniva scoprendo che testi classici sin lì attribuiti ad una – diciamo – filiera parentale diretta, da antenato a discendente (parliamo di codici), si scoprivano invece in vario modo non puri. Siccome il significato di un termine è ben desunto per opposizione, e qui una tradizione contaminata è giustapposta alla tradizione «una», ovvero singola, si deve capire che la contaminazione è un accidente di promiscuità, dovuta al fatto che il copista si serve di almeno due testimonianze diverse. Mi limito qui a questa nozione, senza scendere sui molti dettagli che riguardano, genesi, tempi, cause; per i modi cfr. infra n. 26.

Il concetto di contaminazione infatti era chiaro già prima, e innanzi che venisse in auge la rappresentazione dello stemma codicum (= schematizzazione grafica del quadro dei rapporti di parentela dei testimoni rappresentati con lettere[6]). La filologia del '700 già conosceva le insidie della contaminazione per i testi omerici, e la dichiarava esplicitamente per il Nuovo Testamento,[7] mentre alla fine dell'800 la possibilità di applicare il metodo meccanico registrava in questo accadimento uno dei due motivi di crisi della stemmatica: l'altro è lo stemma a due rami, o bifido (= due discendenti derivanti dal capostipite di tutta la tradizione)[8]. Visivamente la rappresentazione della contaminazione si chiarisce con una variabile nel disegno dello stemma codicum. Quest'ultimo è rappresentato, a designare la tradizione verticale, (= un codice deriva da un altro direttamente o attraverso un numero n di esemplari intermedi) con segmenti[9];

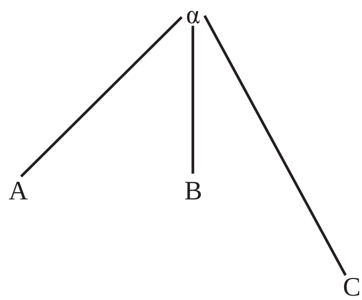


Figura 1: Stemma codicum (albero tripartito)

Nel caso di contaminazione, a designare un contatto laterale[10], lo stemma prevede invece di un segmento un tratteggio:

6 Sia dell'alfabeto greco sia di quello latino. In generale le lettere greche si usano per i testimoni non rimasti, ma postulati come necessariamente esistiti, a cominciare dall'originale e dall'archetipo.

7 Cfr. Timpanaro, 2010, 44, e ivi per il Nuovo Testamento l'espressione con cui Johann Jacob Griesbach, Halle 1796, definisce il processo contaminatorio: «Alterius recensionis illatae sunt in alterius familiae libros».

8 Ivi, 79.

9 La dipendenza, la indipendenza e più in generale le parentele fra codici si provano solo con errori, e questi errori devono essere significativi, ovvero senza possibilità di prodursi per qualche ragione poligenetica. Mai lezioni buone possono essere da sole significative per provare vincoli di parentela. L'unico DNA della stemmatica tradizionale è l'errore. Sul concetto di errore non basterebbe un libro a trattare appieno la discussione che ha prodotto. Basti, per mettere il sale sulla coda di questo fondamento del metodo genealogico, l'osservazione che non solo la discussione sulla significatività dell'errore, ma anche la stessa sola sua nozione chiama in causa il iudicium.

10 È da preferire al termine "orizzontale", questo utile per definire una caratteristica possibile non per l'archetipo, ma per l'originale (fenomeno riguardante per lo più i testi dalla tradizione medievale in giù) più originali, ovvero un "originale in movimento", vedi anche infra.

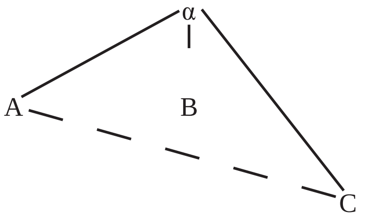


Figura 2: Stemma codicum (albero tripartito, con evidenziazione di contaminazione tra due testimoni)

A contare il peso del numero delle testimonianze, anche un occhio non esperto intravede con chiarezza, come nel primo caso sia applicabile per ottenere la lezione di α un criterio di maggioranza, ma come nel secondo ciò non sia più possibile.

A rappresentare la metafora della contaminazione come corso nel quale entrano strade confluenti, così Lucia Cesarini Martinelli ha disegnato nel suo manuale la sporadica convergenza

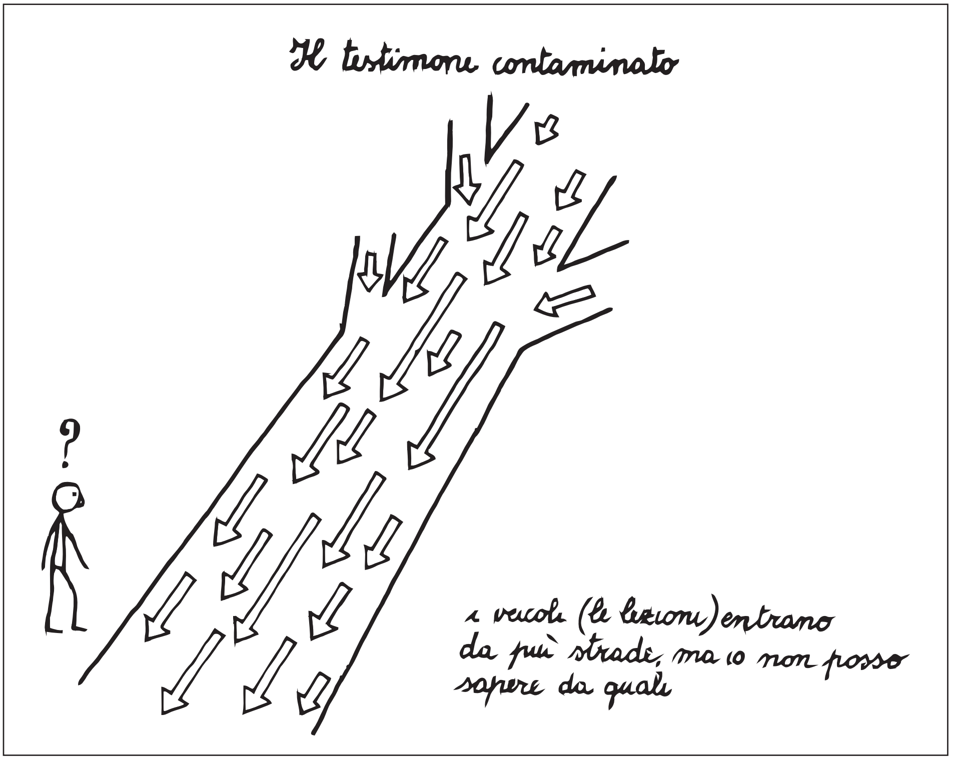


Figura 3: Contaminazione (Martinelli 1984, 107)

Nello stesso anno in cui andava a stampa il saggio sopra citato, Giorgio Pasquali pubblicava il suo capolavoro filologico riunendo le ricerche continuate fra le due guerre: Storia della tradizione e critica del testo, un libro la cui genesi è ben conosciuta dagli addetti ai lavori. Pasquali aveva recensito su «Gnomon» 5 del 1929 la Texcritik di Paul Maas, filologo tedesco riparato ad Oxford: quest'ultima un vero manuale di stemmatica, che recuperava il metodo meccanico a favore una critica senza iudicium. Essa s'era sviluppata sulle orme di una filologia per lungo tempo chiamata "metodo di Lachmann" dal nome grande filologo di Berlino, e in tempi più recenti soprattutto per merito di filologi italiani restituita per quanto riguarda le tecniche più strettamente meccaniche e stemmatiche a suoi sodali ed epigoni[11]. La recensione di Pasquali, ed il suo successo Oltralpe e anche Oltreoceano avevano indotto l'autore a ripubblicarla con nuovi esempi. Ma ben presto Pasquali s'era dato a riscriverla tutta, riprendendo ex novo il lavoro, in vista di un libro più sistematico. La Storia della tradizione (ecco il prodotto della sua estensione di ricerche) finiva per opporre al maestro tedesco della scuola di Oxford una filologia diversa, più duttile e meno riducibile al metodo meccanico quest'ultimo basato sulla costituzione dell'archetipo (= il testo meno lontano dall'originale, al quale rimanda la tradizione)[12] in base alla maggioranza non di singoli codici, ma delle famiglie o gruppi di codici.

La Textcritik mirava appunto a fornire un metodo rigido, sulle orme di osservazioni che Maas già aveva elaborato nella fondazione della stemmatica limitando al massimo – questo era il punto – il giudizio possibilmente fallace del filologo. Torniamo a Pasquali. Per lui, l'attività del critico del testo non poteva ridursi a schematismi fissi. Il procedimento della critica testuale invece che meccanica doveva proporsi come «metodica, che è quasi l'opposto». Con il che egli mirava a rivalutare l'esercizio dell'ingegno non necessariamente applicato alla sola congettura (divinatio), ma sovrintendente al buon senso storico ed alla acribia degli addetti ai lavori. La grande temperie degli studi classici in Germania nel medio Ottocento aveva generato due diversi approcci. Una filologia storica,

---

11 Acuta e tempestiva la recensione al libro di Pasquali di Gianfranco Contini pubblicata nel '35 poi riedita, e ora leggibile in Contini, 2007, 99–112. Dopo il volume pasqualiano, testo fondamentale in Italia è stata nei primi anni sessanta del Novecento la Genesi del metodo di Lachmann di Sebastiano Timpanaro (Timpanaro, 1963), il quale ha contribuito a erodere dal cosiddetto metodo di Lachmann operazioni della prassi meccanica invece non attribuibili al grande filologo tedesco, a cominciare dagli errori significativi e dalla confezione di uno stemma. Molto più decisamente, e praticamente smontando la responsabilità del Lachmann dai cardini del metodo passato agli atti con il nome suo, Fiesoli, 2000 attraverso un esame dettagliato delle varie edizioni del Lachmann, non solo quelle dei classici ma anche quelle del medioevo tedesco, ha ridisegnato meglio sulla base del vaglio dell'intera sua produzione, i dettagli e i confini del suo metodo. Più recentemente, riconoscendo a Fiesoli i suoi molti meriti, Elio Montanari, ha cercato di giustificare, in sede storiografica con plausibili ragioni, l'etichetta di «metodo di Lachmann» nella propria postilla alla edizione di Timpanaro, 2000, 183–211.

12 Converrà ben chiarire che fra l'archetipo e l'originale (così come fra un testimone e un altro uniti da segmento nello stemma) ci può stare un firmamento di testimonianze, come se l'albero che noi tracciamo fosse la via lattea di un quadro di firmamento stellare perduto assai più ampio. Sicché l'archetipo che noi sappiamo esistito per necessità cogenti (errore/i significativo/i comune/i) dal confronto fra i codici resta una ipotesi di lavoro, ciò che si può vedere dal nostro osservatorio, ma che può cambiare fisionomia se nuovi testimoni vengano alla luce, allargando di poco o di molto il panorama che prima avevamo tracciato, con esiti possibilmente sconvolgenti per le scelte da compiere.

insomma, a petto di una filologia meccanica. Lo storicismo dell'Europa mediterranea, ma nutrito dalla filologia tedesca, a petto dello schematismo matematico di un tedesco approdato alla scuola di Oxford.

Maas, il cui metodo valeva per verticalizzazioni rettilinee, aveva ben chiaro il concetto di contaminazione, ed anzi essa era concepita come la coda del diavolo, come la propria bestia nera. Doveva concludere nella Textcritik, con sentenza che è raro non vedere ricordata successivamente negli studi, quasi un marchio che la contaminazione, da allora in poi, si sarebbe portata dietro: «Contro la contaminazione non si è ancora scoperto nessun rimedio». Su questo punto né Pasquali né altri avrebbero potuto opporre una antidoto sicuro. Ma ciò che dal libro di Pasquali emergeva con chiarezza era che, alla fin fine, per i testi classici il processo contaminatorio era con una sentenza che è raro non vedere ricordata successivamente negli studi, quasi un marchio che la contaminazione, da allora in poi, si sarebbe portata dietro: «Contro la contaminazione non si è ancora scoperto nessun rimedio» (Maas, 1958, 6). Su questo punto né Pasquali né altri avrebbe accidente tutt'altro che raro, men che mai specificamente bizantino. Lucano e Giovenale p. es. possedevano una tradizione in cui la contaminazione era presumibile per quasi ognuno dei codici rimasti. E nell'Occidente latino le condizioni favorevoli alla contaminazione, ovvero il confronto da parte di un copista di più esemplari era tutt'altro che inusuale. Insomma, alle rappresentazioni del monaco che con pazienza certosina sullo scrittoio copiava fedelmente e passivamente il suo modello, uno solo, vanno accostate ed interpretate a favore di contemporanei confronti sullo scrittoio degli amanuensi le non poche che rappresentano la scena con vari libri aperti, sullo stesso piano inclinato di scrittura o a fianco del copista disposti in appositi leggii, quali possiamo vedere nelle illustrazioni miniate di molti codici medievali. Prendendo a modello ora una copia, ora una migliore, l'amanuense poteva contaminare la propria trascrizione mescolando lezioni provenienti da manoscritti di diverse famiglie (nello stemma: diversi rami). E ciò si era soprattutto verificato nel momento in cui i classici latini cominciarono ad essere ricercati e diffusi, cioè nell'epoca di Carlo Magno. Pasquali ricorda che in età carolingia il ricorso a più testimoni era divenuto poco meno che una prassi. In margine ad un manoscritto databile al IX–X secolo del grammatico Nonio Marcello (IV sec.), una nota marginale legge: «vi erano amanuensi che confezionavano manoscritti venali…; per la qualcosa si trovano testi corrotti, poiché non li confrontavano o recensivano con altri».[13] Qui dunque un testo è considerato corrotto perché non collazionato con altri! Bisognerebbe dunque esser cauti a parlare di trasmissione anomala, come capita ancora di leggere, nel caso in cui un codice non si serva solo di un modello. È appena giustificabile farlo in sede puramente teorica, ovvero nella didattica della stemmatica, ma sempre avvertendo che questa presunta anomalia non corrisponde alla situazione storica della tradizione classica. Sull'altro

13 Pasquali, 1934, 147: Scriptores erant qui venales codices faciebant…; unde corrupti inveniuntur libri, quia non eos excutiebant nec recesebant cum aliis. Si noti che l'osservazione propone una ragione economica per la diversa qualità delle copie (venales). Ciò che si faceva per essere venduto poteva esser fatto più in fretta. Inoltre l'accezione di recensere per collazionare spiega la terminologia di Pasquali nella voce dell'Enciclopedia Treccani della quale abbiamo fatto cenno.

versante e per farla in breve: la constatazione che il processo contaminatorio era esteso e ben influente nella storia dei testi antichi limitava assai la concreta applicazione della tecnica di una filologia del recensere sine interpretatione quale quella proposta dal Maas.

Dietro a Pasquali c'erano gli studi della scuola di Lipsia, e soprattutto di Ludwig Traube (Berlino, 1861 – Monaco di Baviera, 1907, 1912) editore di testi classici, grande conoscitore degli scriptoria del Medioevo, e insigne paleografo. Dopo di lui gli studi filologici in Italia avrebbero profittato dello sviluppo della polemica nata in Francia in seno alla filologia romanza tra Gaston Paris e Bèdier, trovando in Gianfranco Contini il più geniale sistematore e innovatore con risvolti assai importanti sui meccanismi di tradizione non romanza, (il concetto di sistema applicato all'analisi delle varianti, quello, collegato, di diffrazione), nonché sulla discussione del metodo e sul senso delle edizioni critiche.

Lo stesso Traube aveva illustrato l'attività del grande maestro franco Lupo di Ferrières (IX sec.), collazionatore di codici classici nella età di Carlo il Calvo, e aveva stabilito che manoscritti contaminati provenivano non solo dall' atelier del maestro franco, ma anche da altri centri di diffusione dello stesso periodo (Pasquali 1934, 147).

Dopo la Storia della tradizione e critica del testo, in tutta Europa gli studi sulla tradizione classica sono proseguiti anche in questa direzione, allargando sempre più i confini delle tradizioni contaminate. Nella prefazione alla edizione italiana di un saggio ormai classico di Edward John Kenney (Kenney, 1995), Aldo Lunelli poteva confermare che era acquisita la «consapevolezza che di norma si ha a che fare con testimoni contaminati e con situazioni assai complesse». Ovvero, sul finire del'900, quella che per molto tempo si sarebbe detta tradizione anomala, non avrebbe già più sopportato una tale etichetta, dimostrandosi la supposta anomalia una prassi sempre più diffusa nella tradizione dei testi classici[14].

Tra gli effetti più devastanti della contaminazione c'è l'alterazione in cima agli stemmi: uno stemma tripartito, p. es., come quello della figura 2, se il filologo non si accorge della contaminazione (C assume errori da A) sarà indotto a sospettare un comune perduto antigrafo di A e C, ovvero ß, secondo questo schema

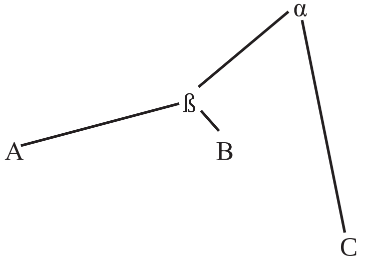


Figura 4: Albero falsamente bipartito per mancata constatazione di contaminazione[15]

14 Ma, per prendere un esempio da un testo per altri versi accettabile e utile: «La trasmissione anomala per eccellenza è rappresentata dalla contaminazione» in Alfonso d'Agostino, Manualetto di ecdotica, e capitolo Trasmissione anomala contaminazione (armida.unimi.it/bitstream/2170/528/1/Contaminazione.pdf).

15 Potremmo chiamarlo bipartitismo apparente. Su di esso si è soffermato Timpanaro, 1963, 127.

A mostrare come questa falsa bipartizione sia possibile per altra causa, Alfredo Stussi propone il caso di un capostipite da cui siano geminati tre esemplari in tempi però diversi: l'esemplare A trascrivendo completo α, invece B e C dopo la caduta di un fascicolo in α. La grossa lacuna induce erroneamente a postulare un comune capostipite in parallelo ad A, secondo l'errato schema della figura 5 (cfr. Stussi, 1994, 137–138). (adeguo le sigle agli esempi prodotti nelle figure precedenti).

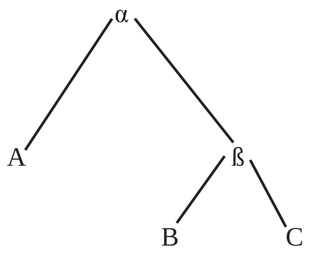


Figura 5: Albero falsamente bipartito a causa di caduta meccanica di fascicolo nel capostipite

Tanto basti per misurare come la contaminazione, sovvertendo la disposizione degli stemmi, possa indurre il filologo ad operazioni erronee sul presupposto illusorio che uno stemma sia bipartito, invece che tripartito. Ma la contaminazione favorisce anche il caso opposto, cioè l'illusione di albero tripartito al posto di quello bipartito, con conseguenze altrettanto gravi.[16]

Torniamo agli anni di fine e cambio secolo: contemporaneo del Traube, al di qua delle Alpi lavorava sulle rime di Dante Michele Barbi (1867–1941), il quale è considerato a buon diritto il fondatore del metodo della cosiddetta nuova filologia in Italia. In tarda età il Barbi, guardandosi indietro, ammetteva il suo debito nei confronti del mondo tedesco[17]. La filologia romanza e quella italiana in particolare non potevano che fondarsi su quella classica, e condividevano un punto di contatto nel basso medioevo, questa volta XII–XIII secolo, nel momento in cui i copisti cominciavano a trascrivere testi non più scritti in lingua latina. Ovviamente tutto cambiava, a cominciare dalla più incerta e nuova lingua dei testi, dal pubblico dei lettori, dalla committenza, nonché dalla professionalità dei copisti.

16 Lo ha chiarito e sottolineato in tempi moderni un filologo classico agguerrito quale Michael Reeve, cfr. Reeve, 1982, 57–70.

17 E stato peraltro proposto che nondimeno egli acquisì i princìpi del metodo, ancora ragazzo, ai tempi della sua tesi di laurea, non solo dalla filologia dei suoi tempi, italiana o tedesca, ma dagli inediti manoscritti autografi e idiografi del grande filologo e storico cinquecentesco Vincenzio Borghini, non solo anticipatore, ma modello della nuova filologia di Barbi: i suoi lavori per lo più sconosciuti di critica testuale sui testi toscani trecenteschi Barbi lesse e meditò a Firenze nella Biblioteca Nazionale di Firenze mentre svolgeva ricerche sulla fortuna di Dante nel '500, e su essi pubblicò, prima di dare alle stampe la sua tesi di laurea, un saggio fondamentale (Barbi, 1989), cfr. Belloni, 1998, Introduz., I–XI; ma prima, molto bene, su questa strada, Woodhouse, 1990.

Anche il genere dei testi si prestava alla osservazione, questa volta più vicina e documentabile, di situazioni particolari, meritevoli di accertamenti nuovi.

Barbi sin dal 1887 raccoglieva, sullo stimolo delle nuove ricerche di Alessandro D'Ancona, i canti popolari in Italia. Si cita questo esempio solamente per testimoniare come la diversità di trasmissione delle nuove letterature obbligava ad una ricerca nuova ed alla considerazione di un testo per condizione sua, o per capacità di testimonianze, diverso da quello tràdito dalla classicità. Per tali particolari campioni, con forte influenza della oralità, un problema come quello della contaminazione cambiava del tutto aspetto: la necessità di ricercare quante più redazioni possibili di ogni canto, per studiarne, attraverso le trasformazioni sulla bocca dei parlanti, la diffusione, e di risalire insieme comparativamente alle fonti prime, sconvolgeva ovviamente i piani ed i sistemi della filologia classica aprendo nuove e complicate questioni[18].

Da allora gli studi sui testi di letteratura italiana si sono sviluppati, sulla scuola di Barbi, aggiornandosi attraverso una progressiva serie di edizioni critiche, spesso agguerrite e degne della migliore tradizione classica, ma soprattutto allargando il campo delle indagini, a causa della influenza esercitata dallo scrittoio dell'autore stesso sulla tradizione: in particolare, verso quella che oggi si chiama filologia d'autore, una fattispecie presente solo per casi rari e segmenti d'eccezione nella tradizione dei libri latini e greci.[19] Esse hanno favorito una vera e propria discussione sul metodo, sia in capo alle singole edizioni critiche, sia nelle riviste specializzate, sia come trattazioni nei vari convegni di una filologia italiana rinvigoritasi negli anni '60, e dopo, per qualche decennio, ancora in piena auge. Hanno prodotto una trattatistica spesso rivolta alla scuola universitaria (i molti manuali dagli anni '60 in qua), che hanno visti impegnati, soprattutto all'inizio, i più autorevoli filologi e storici della lingua operanti sul campo.[20] Non mi voglio qui soffermare sulle varie precisazioni, come quella fra contaminazione per giustapposizione

18 Si affacciava il problema della contaminazione dei canti popolari e delle loro melodie. Ricerche che Barbi volle raccogliere, sul finir della vita (Barbi, 1939).

19 Rimando per una informazione generale a Italia-Raboni, 2010.

20 Oltre a quelli citati (cfr. bibliografia) ricordo almeno, solo per fare due nomi, Alberto Varvaro e Paolo Beltrami; e i tre grandi convegni di filologia, tutti forniti di Atti: a Bologna nel 1963 per il centenario della Commissione per i testi di Lingua, a Lecce nel 1985 organizzato dall'Università e dalla rivista «Filologia e Critica», infine presso l'Accademia Lincei nel 1998. Un posto a sé merita Gianfranco Contini, come basta a dimostrare il doppio volume di Contini (2007): nel risvolto di copertina il titolo che possiede si dice progettato dallo stesso postumo autore: la magica parola Frammenti potrebbe aver suggerito nell'editore dei Rerum vulgarium fragmenta un tale vezzo, cioè un salto mortale audacissimo tra territori e generi, tra endecasillabi e prosa critica. Minimalismo non accettabile se l'espansione, ivi presente, dei vasti territori frequentati da lui, non rendesse più minimalista del soggetto (i frammenti) la sua specificazione (filologia romanza): filologia classica, filologia mediolatina, metodo di Lachmann, costanti attenzioni alla storia della critica del testo, impegno specificatamente e tecnicamente dialettologico, infine visione strutturale a lui quasi congenita delle forme e dei metodi, «di sistema», sino al metodo suo. Con altre parole, per chi volesse capire, quel titolo dice che la filologia romanza di Contini, pur precisamente misurata sui testi occitanici e oitanici e antico-italiani, non solo si è naturalmente assorbita la filologia classica e quella mediolatina, ma ha dilatato anche come specializzazione e modus operandi la sua territorialità ben oltre i confini istituzionali, in modo da esser registrata agli atti come propria e singolare nel panorama non solo italiano, ma europeo.

di esemplari e contaminazione di lezioni, sulla quale recentemente è tornato Paolo Trovato[21], o su distinzioni e classificazioni tentate per distinguere i vari tipi di contaminazione, quali quelle tentate da Cesare Segre[22].

Quanto alla filologia d'autore, essa ha di recente conquistato quasi un posto a sé nella filologia romanza, a cominciare appunto dall'etichetta, ricavata da un antesignano di queste problematiche, Dante Isella. C'è da chiedersi: esiste anche per essa un tipo particolare di disturbo, o di mescolamento che potremmo chiamare contaminazione d'autore? La risposta deve essere affermativa e coinvolge il fenomeno per il quale un autore, correggendo il proprio testo, e diffondendolo (è il caso, p. es. della rimeria antica) in momenti diversi, crea i presupposti perché i copisti intersechino e confondano i diversi stadi redazionali. Si tratta insomma di una contaminazione tra varianti d'autore, alla quale già accennava Balduino (1989, 334). Ma può capitare che non i copisti (o, peggio, gli editori moderni) mescolino tra loro le varianti d'autore, ma lo stesso autore contamini involontariamente se stesso: è il caso per il quale rivedendo una copia del proprio lavoro senza più avere l'originale nelle sue mani, corregge lezioni tramandate diverse dalle sue, ma senza riuscire a ripristinare il proprio dettato. Mi capitò di chiamare queste lezioni, studiando un testo in prosa del '400 italiano, «restituzioni devianti d'autore» (cfr. Palmieri, 1982, Introd., LXXII). E continuo a chiamarle volentieri con questa etichetta, che mi pare, nella sua semplice formulazione, abbastanza loquace: un testo che contenga restituzioni devianti d'autore rappresenta, in quanto raccoglitore delle caratteristiche altre del suo gruppo o della sua famiglia, una contaminazione d'autore.

Un altro caso singolare di contaminazione – ma non diciamo anomalo perché abbiamo imparato che in filologia (nonostante tutto, non ancora insidiata dalle Parche) le anomalie di oggi potrebbero non esserlo domani – è quello della cosiddetta contaminazione extrastemmatica,[23] che per spiegare la genealogia ricostruibile prevede necessariamente il ricorso ad un testimone non contemplato sin lì dallo stemma.[24] Su questa speciale contaminazione è tornato, a ribadire il suo punto di vista sulla tradizione della Commedia di Dante, Paolo Trovato[25], che così si esprime (estraggo, tagliando molto): «Premesso che

21 Per avvertire, sulla base di precedenti studi (Tonello-Trovato, 2011), che di 368 manoscritti della Commedia di Dante, un testo che non si trascrive nell'arco di ore, e che girava anche parcellizzato, e soprattutto diviso per cantiche (onde è anche possibile pensare che in un atelier un copista copiasse una cantica da un codice, un altro altra cantica da un altro codice), il 15 % è rappresentato da testimoni per i quali si ipotizza contaminazione per giustapposizione di esemplari, cfr. Trovato in c. s.

22 «Contaminazione semplice (conseguenza di una sola collazione con un solo esemplare), frazionata (conseguenza di successive collazioni con un solo esemplare); contaminazione multipla (conseguenza di collazioni con più di un esemplare) che può essere inoltre frazionata; inoltre per l'intensità di collazione: contaminazione sporadica (le lezioni tratte dal secondo esemplare sono saltuarie e isolate), contaminazione fitta (lezioni costituite non solo da parole, ma da gruppi o proposizioni, frequentemente introdotte nel primo esemplare), contaminazione completa (quando il collazionatore ha inteso di registrare tutte le differenze tra i suoi due esemplari)» cfr. Segre, 1963, 64.

23 Definizione presente già dagli anni '60; cfr. Timpanaro, 2000, 152–153, 158.

24 Sottolineo sin lì, perché ovviamente una contaminazione extrastemmatica, pur prevedendo una uscita dallo stemma già fissato, dovrà rappresentarsi ancora con uno stemma. Meglio forse la definizione, non ancora passata agli atti, di contaminazione extrarchetipica (Trovato in c. s.).

25 Trovato, 2009, in coda al dissenziente, su questo punto, Sanguineti, 2009: al quale ultimo si deve la

tutte le volte che è stato possibile incrociare i dati sulla tiratura con quelli sulla conservazione odierna di determinati incunaboli e cinquecentine di buona consistenza e ampio formato ne è risultato un tasso di decimazione molto elevato, dal 77 % al 100 % par ragionevole immaginare che quando si pensa ad una larga diffusione del Trecento la decimazione non possa essere inferiore all'80 %; concludendo che «[…] ipotizzare una contaminazione extrastemmatica significa semplicemente immaginare che uno dei copisti trecenteschi il cui lavoro rientra nel 20 % di codici giunto fino a noi abbia potuto […] attingere sporadicamente a uno dei mss. primotrecenteschi oggi perduti che facevano parte dell'80 % della tradizione».[26]

Per uscire dalla filologia romanza e italiana ed entrare nei territori oltre il "di là da mar", finisco con l'accennare, di questa fattispecie, a un caso da poco arrivato alle stampe su un campione della filologia slava. Non stonerà in questa sede. Si tratta della tradizione di quella che è forse la più antica opera della sua letteratura ecclesiastica, la Vita di Costantino. Si tratta del Costantino (sec. IX) che dopo la sua monacazione si chiamò Cirillo e con il fratello Metodio, partendo da Tessalonica, evangelizzò i territori della Pannonia e della Moravia. Entrambi i fratelli, considerati patroni di tutti i popoli slavi, insieme tradussero la Bibbia. Per ciò stesso da patroni degli Slavi sono stati elevati da papa Giovanni Paolo II, nel 1980, a patroni d'Europa, assieme nientemeno che a San Benedetto.

L'antica Vita di Costantino possiede una tradizione complessa e dilatata, di grandissima fortuna. Alcuni dei gruppi dello stemma si identificano con culture anche linguistiche diverse, un gruppo ruteno, un gruppo novgordiano, un gruppo moscovita, un gruppo serbo, un gruppo contaminato. Recentemente una autorevole rivista di filologia italiana ha ospitato un saggio del filologo slavo Giorgio Ziffer sulla tradizione di questo testo[27]. Ziffer, riprendendo un lavoro di Natalino Radovic, e ritornando su proprie ricerche di vent'anni prima, ha proposto di spiegare l'imbarazzante presenza di una lezione buona del primo gruppo novgordiano con una contaminazione extrastemmatica del suo ascendente[28], rendendo lo stemma prima bipartito in tripartito, con le deducibili conseguenze che lo studioso si propone di trarre, quali abbiamo osservato e discusso sopra, a proposito della necessità di stendere stemmi.

edizione oggi filologicamente più apprezzabile del poema dantesco, ma soprattutto la svolta decisiva, che pare possedere oggi tutte le ragioni per rimanere tale, per la quale la tradizione non toscana, rappresentata dal codice Urb., è la più autorevole a norma di stemma (non ovviamente per la lingua).

26 La premessa del suo discorso, ovvero i risultati sul tema della decimazione dei testimoni e le statistiche ricavabili si affida alle precedenti ricerche in proprio e con Vincenzo Guidi, pubblicate nei primi numeri della rivista specializzata «Filologia Italiana». Ho ritenuto di riportare questa premessa per intero non solo perché propedeutica alla conclusione del discorso, ma funzionale qui al nostro esempio, prescindendo ovviamente dal concreto dibattito polemico sulla specifica posizione stemmatica del codice dantesco in questione.

27 Cfr. Ziffer, 2000, 13–14, dal quale brevemente cito i gruppi dello stemma.

28 Ziffer, 2000,14, il quale più oltre (15) rileva che la contaminazione è «un fenomeno di assoluto rilievo nello studio della tradizione manoscritta della letteratura slava ecclesiastica, e soprattutto di quelle opere che hanno avuto un'ampia fortuna», conclusione del tutto in linea con le osservazioni di Pasquali per la tradizione dell'Occidente, e del fatto che il fenomeno si acuisce laddove la tradizione passi per scriptoria organizzati (osservazione, quest'ultima in accordo con Segre).

Infine, sui destini della contaminazione, un ultimo avvertimento, uscendo dai metodi della filologia tradizionale di cui sin qui abbiamo discusso: chiedendo aiuto alle più recenti applicazioni della genetica quali la cladistica (klàdos in greco significa ramo, ed è costituito da un gruppo d'individui che condividono un antenato comune), la famosa perentoria dichiarazione di resa del Maas già ricordata non trova vendetta: per ammissione degli stessi addetti ai lavori, la contaminazione mette ancora in crisi i programmi di generazione automatica di stemmi usati dalla filologia "computer assisted"[29].

29 Trovato in c. s. Sulla imporatnza del lavoro di Trovato, uscito a stampa mentre questa breve nota era in bozze, registro il parere di Peter Gurry, giovane filologo neotestamentario di Cambridge: «This is now the best book on Lachmannian stemmatics. This book should supercede Paul Maas as the first place to run to understand this long trandition of sorting out manuscript relations. Trovato ha done English readers a special service by making a point to include the work of Italian sholars and their work which would otherwise be inaccessible to students who can't read Italian. Written with verve but also with a thorough knowledge of the subject, it will serve both beginning students and seasoned scholars admirably.» (http://www.amazon.com/review/RRUUDVOJ00RB6/ref=cm_cr_dp_title?ie=UTF8&ASIN=886292528X&channel=detail-glance&nodelD=283155&store=books)

KONTAMINACIJA V FILOLOGIJI

Gino BELLONI
Univerza Ca' Foscari v Benetkah, Oddelek za humanistiko, Dorsoduro 3484/D, 30123 Venezia, Italija
e-mail: bell@unive.it

POVZETEK

Razprava se nanaša na ohranjanje pisnih spominov iz antike, katerim je namenjena tekstualna kritika. V tej panogi je kontaminacija (conflation/hybridation/contaminaciòn) mehanizem, pri katerem kopist pri prepisu besedila namesto da bi posegel samo po enem samem eksemplarju, uveljavi drugega ali več modelov. Vzrok za takšen postopek je lahko tudi v potrebi prepisovalca, ki je edini protagonist tega dogajanja vse do izuma tiska. Takšna definicija je prava, vendar poenostavljena. Če pričnemo z dejstvom, da kontaminacij niso povzročali samo kopisti, temveč tudi bralci, ki so ob straneh rokopisov vnašali različice ali zaznamke, kar je razlog za kontaminacije (iz njihovih opomb kasnejši kopisti dodajajo kontaminacije). Za zgodovino knjige in za njeno prihodnost pri bralcih imamo lahko kontaminacijo tudi za stanje, ki ni neugodno, za samo preživetje knjige ali za širitev njenega občinstva. Vendar pa v tekstualni kritiki ta pojav vzbudi motnjo, zmešnjavo, ki preprečuje kasnejšemu filologu, da bi v skladu z normativi določene metode začrtal pot do izvirnika. Praksa, ki se je iz dneva v dan uveljavljala, in ki danes ni edina, se je oblikovala od sredine 19. stoletja tako v Nemčiji (še posebej za klasike) kot v Franciji (posebej za razprave o ekdotiki besedil romanov); vendar se je razširila tudi po Evropi, znotraj katere v Italiji, še posebej s pomembnim prispevkom v 20. stoletju (Pasquali, Barbi, Contini, Timpanaro). Lahko jo imenujemo "tako imenovana Lachmannova metoda" ali neo-lachmannianska metoda. Ta metoda ni znanstvena, vsaj ne v pravem pomenu besede, vendar je vedno sledila zavezujočemu približku logike, če že ne natančni znanosti. Njen razvoj pa, čeprav je delno uspel omejiti škodo kontaminacije, ali jo popraviti, ni odstranil z njim povezanih visokih tveganj. Kontaminacija v testualni kritiki torej še vedno vzdržuje neustrezen in močno negativen predznak za razliko od raznovrstnosti, ki jo ponuja v drugih disciplinah iz različnih vidikov in različnih zgodovinskih, antropoloških, družbenih, umetniških in drugih členitev.

Ključne besede: filologija, tradicija rokopisov, kopisti, tekstualna kritika, Lachmannova metoda, stemma codicum, motnje

BIBLIOGRAFIA

Avalle D'Arco, S. (1972): Principi di critica testuale. Padova, Antenore.

Balduino, A. (1989[3]): Manuale di filologia italiana. Firenze, Sansoni.

Barbi, M. (1934): Contaminazioni nei canti popolari italiani. Mélanges de philologie, d'histoire et de littérature offerts à Henri Hauvette. Paris, Les Presses françoises, 21–29.

Barbi, M. (1939): Poesia popolare italiana. Studi e proposte. Firenze, Sansoni.

Barbi M. (1989): Degli studi di don Vincenzio Borghini sopra la storia e la lingua di Firenze. Il Propugnatore, II, 5–71.

Barbi, M., Pasquali, G., Nencioni, G. (2012): Per un grande vocabolario storico della lingua italiana. Firenze, Le Lettere.

Belloni, G. (1998): Vincenzio Borghini dall'erudizione alla filologia: Una raccolta di testi. Pescara, Libreria dell'Università editrice.

Cesarini Martinelli, L. (1984): La filologia. Dagli antichi manoscritti ai libri stampati. Roma, Editori Riuniti.

Chiarini, G. (1982): Prospettive translachmanniane dell'ecdotica (http://cvc.cervantes.es/literatura/aispi/pdf/02/02_043.pdf).

Contini, G. (2007): Frammenti di Filologia Romanza. Firenze, Galluzzo, voll. 2.

Ernout, A., Meillet, A. (1959[4]): Dictionnaire étymologique de la langue latine. Histoire des mots. Paris, C. Klincksieck (edizione originale, Paris, 1932).

Ferrarino, P. (2003): La cosiddetta contaminazione nell'antica commedia romana, a cura di L. Cristante, C. Marangoni, R. Schievenin. Amsterdam, Hakkert.

Fiesoli, G. (2000): La genesi del Lachmannismo. Firenze, SISMEL Edizioni del Galluzzo.

Kenney, E. J. (2000): Testo e metodo. Aspetti dell'edizione dei classici latini e greci nell'età del libro a stampa. Edizione riveduta a cura di A. Lunelli. Roma, GEI Gruppo Editoriale Internazionale (opera originale: The classical text. Aspects of editing in the age of printed books , Berkeley-Los Angeles-London, University of California Press, 1974).

Italia, P., Raboni, G. (2010): Che cos'è la filologia d'autore. Milano, Carocci.

Maas, P. (1958[2]): Critica del testo, trad. it. di N. Martinelli, presentazione di G. Pasquali. Firenze, Le Monnier (I ed. it., 1950, opera originale: Textkritik. Leipzig, Teubner, 1927).

Palmieri, M. (1982): Vita Civile. Edizione critica a cura di G. Belloni. Firenze, Sansoni.

Pasquali, G. (II ed. 1962[2]): Storia della tradizione e critica del testo. Seconda edizione con nuova prefazione e aggiunta di tre appendici. Firenze, Le Monnier (edizione originale: 1934, II ed. rivista ed accresciuta, ivi, 1952).

Quaglio, A. E. (1985): Tradizioni irregolari nella storia di testi prosastici. In: La critica del testo. Problemi di metodo ed esperienze di lavoro. Atti del Convegno di Lecce, 22–26 Ottobre 1984. Roma, Salerno ed., 151–207.

Reynolds, L. D., Wilson, N. G. (1969): Copisti e filologi. La tradizione dei classici dall'antichità al Rinascimento, traduzione di M. Ferrari, con una Premessa di G. Billanovich. Padova, Antenore (opera originale Scribes and Scholars. Oxford, Clarendon Press, 1968).

Reeve, M. D. (1982): Stemmatic Method: qualcosa che non funziona? In: The Role of the Book in Medieval Culture. Proceedings of the Oxford International Symposium 26 September – 1 October 1982, edited by P. Granz. Turnhout, Brepols.

Reeve, M. D. (2011): Manuscripts and Methods. Essays on Editing and Transmission. Roma, Edizioni di Storia e Letteratura.

Sanguineti, F. (2009): Postilla sul subarchetipo beta. Studi danteschi, 74, 299–306.

Segre, C. (1963): Appunti sul problema delle contaminazioni nei testi in prosa. In: Studi e problemi di critica testuale. [Atti del] Convegno di Studi di Filologia Italiana nel Centenario della Commissione per i testi di lingua (7–9 Aprile 1960). Bologna, Commissione per i testi di lingua, 63–67.

Stussi, A. (1994): Introduzione agli studi di filologia italiana. Bologna, Il Mulino.

Timpanaro, S. (2010): La genesi del metodo di Lachmann. Con una Presentazione e una Postilla di E. Montanari. Torino Utet (I ed. Firenze, Le Monnier, 1963: Biblioteca del Saggiatore, 18: questa ristampa della UTET/Università propone la terza edizione del 1985).

Tonello, E., Trovato, P. (2011): Contaminazione di lezioni e contaminazione per giustapposizione di esemplari nella tradizione della "Commedia". Filologia Italiana, 8, 21–33.

Trovato, P. (2007): Nuove prospettive sulla tradizione della 'Commedia'. Una guida filologico-linguistica al poema dantesco, a cura di P. Trovato. Firenze, Cesati.

Trovato, P. (2009): Postille a una postilla. Il subarchetipo beta della 'Commedia'. Studi danteschi, 74, 307–315.

Trovato, P. in c. s. (ora per lo stesso editore: 2014): Everything you always wanted to know about Lachmann's method. A Non-Standard Handbook of Genealogical Textual Criticism in the Age of Post-Structuralism, Cladistic, and Copy-text. Padova, Libreriauniversitaria.it.

Ziffer, G. (2011): La verità intorno a Barda. Un caso di contaminazione extrastemmatica nella tradizione slava ecclesiastica della »Vita« di Costantino. Filologia Italiana, 8, 9–16.

Received: 2014-12-8
Original scientific article

UDC 316.7:2-172.2

IL RITORNO DEL CAOS

Giorgio POLITI
Università Ca' Foscari Venezia, Dipartimento di Studi Umanistici, Dorsoduro 3484/D, 30123 Venezia, Italia
e-mail: politi@unive.it

SINTESI

Osservando alcuni eventi e tratti di pubblico dominio delle società presenti, e soprattutto il visibile declino delle principali religioni monoteiste, l'autore indaga le conseguenze che tale trasformazione provoca nella coscienza esistenziale e storica dei contemporanei. Se conseguenza inevitabile di ebraismo, cristianesimo e islamismo è stata infatti la sostanziale neutralizzazione del principio cosmogonico del caos, presente in tutte le religioni antiche, e l'affermazione unilaterale e sempiterna del cosmos, il declino del monoteismo non può che sortire l'effetto opposto, richiamando l'uomo d'oggi all'antico impegno di affiancare gli déi nel mantenimento d'un ordine per definizione precario.

Parole chiave: Eurasia, monoteismo, caos, cosmos, cosmologia

THE COMEBACK OF CHAOS

ABSTRACT

Looking at some events and cases of public domain of the present societies and especially the visible decline of the major monotheistic religions, the author analyzes the impact of this transformation on the existential and historical consciousness of contemporaries. If the unavoidable consequence of Judaism, Christianity and Islam was in fact the substantial neutralization of the cosmogonical principle of chaos, present in all ancient religions, and the affirmation of the eternal and unilateral Cosmos, the decline of monotheism can only have the opposite effect, recalling the man of today to the ancient commitment to assist the gods in the maintenance of an order precarious by definition.

Key words: Eurasia, monoteism, chaos, cosmos, cosmology

1.

La riflessione proposta da questo incontro è senza dubbio motivata; come un tossico sottile, infatti, la contaminazione sembra pervadere le società contemporanee sotto forme assai diverse e talvolta apparentemente contrarie. Che assuma l'aspetto d'inquinamento dell'aria, dell'acqua, dei cibi – anche là ove tale timore risulti del tutto infondato – o dell'omofobia, o dell'allofobia, quando non del razzismo vero e proprio, unica sembra essere l'angoscia ivi sottesa: la difficoltà di mantenere fermi i confini del sé, il timore del dissolversi, la debolezza d'un io multiplo esposto a pressioni ambientali soverchianti. *Contaminazione* appare, sotto questo profilo, come sinonimo di *disordine*, e disordine, a sua volta, di *caos*.

In difficoltà appaiono soprattutto le età estreme della vita; si è osservato che carattere comune a tutte le espressioni musicali specifiche del mondo giovanile odierno è il prevalere della componente ritmica. E il ritmo è da sempre un pilastro essenziale della mente: in Africa l'espressione più comune per significare la patologia mentale indica che il malato «ha perso il ritmo»; ed è noto il valore antidepressivo di qualsiasi attività ritmica, tale da configurare, per dir così, una struttura esterna cui il singolo può ancorarsi.

Il fenomeno è troppo diffuso e radicale per poter essere indagato con gli strumenti d'una sola disciplina; è un grave errore teoretico credere di poter risolvere i maggiori problemi in base ad ambiti disciplinari specifici. È invece proprio dai problemi stessi che bisogna partire, cercando poi fra le diverse scienze quella, o quelle, che meglio possono risolverli, considerando le discipline per quel che sono, mere articolazioni soggettive di comodo, i cui «confini» poco hanno a che vedere con la realtà.

Le grandi scoperte spesso nascono quando qualcuno riesce a connettere elementi già noti in un modo che nessun altro aveva intuito prima. Darwin non era affatto un biologo né uno zoologo, ma un geologo; la sua forza consistette nel non essere uno specialista, nel saper collegare fra loro – com'ebbe a dire lui stesso – *fatti sparsi*. L'idea dell'evoluzione si formò in lui quando pensò di collegare le conchiglie fossili scoperte sulle Ande, la presenza di due sottospecie di nandù sulle rive opposte di un fiume e l'esperienza personale di un catastrofico terremoto che alzò di mezzo metro la costa: Darwin capì allora come la terra sia un sistema instabile che, frammentando di continuo gli ambienti e creandone di sempre nuovi, pone con ciò le basi per la differenziazione delle specie (Pievani, 2012).

Sarà quindi opportuno sollevarsi nel tempo e nello spazio per poter collegare *fatti sparsi*; il rischio è certo quello dell'arbitrarietà e quindi le conclusioni dovranno essere sottoposte a verifica. È proprio il rischio, d'altra parte, a costituire il nocciolo della scienza – e della stessa vita.

2.

In questo spirito mi ripropongo qui di esaminare la rilevanza, rispetto al nostro tema, d'un fenomeno macroscopico, radicato nella lunga durata, e in apparenza scollegato dal tema medesimo: il palese declino del monoteismo nelle società contemporanee. Preciso che, nella mia considerazione, «declino» non significa «scomparsa»: significa che questa

prospettiva religiosa perde il proprio valore di quadro essenziale ed esclusivo di riferimento di società intere per ridursi a fede particolare fra innumerevoli altre, coltivata da gruppi sempre più minoritari e quindi priva di qualsiasi valore normativo universale e condiviso. Mi limiterò qui a considerare il caso della religione cattolica, sia per l'importanza che in passato ha avuto in Italia, sia perché in questo caso il declino del monoteismo mi pare particolarmente rapido e radicale.

A mio giudizio, ben pochi hanno intuito la drammatica rottura rappresentata dalle dimissioni di papa Benedetto XVI; quasi obbedendo a una tacita consegna, i media si sono affrettati a nascondere la polvere sotto il tappeto, facendo passare come ovvia una lacerazione radicale nella storia della Chiesa. Qualcuno si è spinto addirittura a ipotizzare un papato a termine, quasi si trattasse d'una qualsiasi carica secolare e quasi che l'infallibilità pontificia in materia di fede possa configurarsi come un'infallibilità settennale o quadriennale, o lo Spirito santo discenda a orari prescritti, come passa un tram. Il soglio pontificio diverrebbe una carica umana fra tante; certo, non si può escludere che un giorno questo possa avvenire. Ciò, del resto – si potrebbe aggiungere – non metterebbe in questione «proprio nulla. Nulla. Tranne forse l'essenza stessa del cattolicesimo così come l'abbiamo conosciuto» (Marzano, 2009, 177).

Per valutare appieno il significato di simili prospettive è opportuno prendere in esame un elemento, fonte anch'esso da tempo di formidabili pressioni interne ed esterne alla Chiesa cattolica: l'obbligo del celibato ecclesiastico. Si tratta d'uno dei maggiori paradossi nella storia della Chiesa stessa in quanto regola che, pur causa d'innumerevoli problemi e pur non motivata in termini di fede, è stata fatta valere, per lo meno negli ultimi secoli, con assoluto rigore.

Eppure in questa norma apparentemente solo disciplinare la fede c'entra, eccome, anzi, il nocciolo stesso della fede cattolica, anche se in modo indiretto, occulto. Non è affatto casuale che, da ultimo, l'obbligo del celibato ecclesiastico sia stato ribadito con particolare energia con il Concilio di Trento, nel quadro d'una reazione complessiva alla Riforma – e non certo per ovviare al cosiddetto «malcostume» del clero, che infatti celebrò nuovi trionfi, forte della ribadita efficacia dei sacramenti *ex opere operato*. Di fronte alla dottrina secondo cui la grazia viene elargita ai credenti da Dio senza alcuna possibilità d'intervento umano, occorreva ribadire il potere delle chiavi, il ruolo intermediario della Chiesa stessa, unico elemento in grado di legittimare l'esistenza della Chiesa storica, cioè d'un corpo inteso come ceto *autonomo e separato*, nonché privilegiato, rispetto sia alla società che alle istituzioni laiche. I membri costitutivi di tale corpo, il clero, dovevano quindi essere, a differenza dai pastori evangelici, *persone sacre*, radicalmente «altre» rispetto ai laici in quanto abilitati, appunto, a trasferire una sostanza immateriale, la grazia, di cielo in terra. Questo predicato dottrinale necessitava però di un corrispettivo antropologico visibile: e siccome il contrassegno essenziale d'un uomo in quanto uomo è la capacità di generare, chi ne sia privo apparirà per eccellenza come un non-uomo, inconfondibilmente diverso. Quindi il celibato ecclesiastico, se in effetti non è, isolatamente preso, argomento di fede, rappresenta però la forma visibile del problema attorno a cui ruota la storia religiosa europea dal Cinquecento in poi. Perciò, a mio avviso, tutte le pressioni odierne per l'abolizione di questo curioso paradosso sono senza prospettive,

nonostante si tratti d'una misura che non mette in questione proprio nulla ... « tranne forse l'essenza stessa del cattolicesimo così come l'abbiamo conosciuto».

Letto contro un simile sfondo il *gran rifiuto* di Benedetto XVI appare dunque come una dichiarazione d'impotenza a controllare le contraddizioni che percorrono la cattedra di Pietro. Di fronte al dilagare del mondo contemporaneo, che dissolve velocemente tutti i piedi d'argilla attraverso cui il cattolicesimo romano ha mediato, negli ultimi secoli, il proprio controllo sulla società (a partire dallo stato territoriale), la Chiesa non si è mostrata finora in grado di elaborare una strategia congruente ed è parsa al contrario in preda a una sorta di movimento a forbice, di sindrome di Buridano, oscillando fra un tentativo di dialogo con il mondo contemporaneo e il tentativo opposto, perseguito dagli ultimi due papi, di appoggiarsi a movimenti che potremmo definire come fondamentalisti, quali l'*Opus Dei*, *Comunione e liberazione* o talune espressioni del carismatismo cattolico – un movimento nato a margine del Vaticano II su imitazione dei pentecostali americani riformati.

In effetti, nessuna di queste due opzioni è in grado di risolvere il problema: dal punto di vista istituzionale, il primo tentativo finisce con lo sfrangiarsi in mille rivoli sottratti a qualsiasi possibilità di controllo, mentre i secondi, dietro un formale ossequio ai vertici romani, rispondono unicamente alla persona del papa e negano con ciò qualsiasi subordinazione entro la piramide ecclesiastica tradizionale; in entrambi i casi è la struttura vescovile a essere scavalcata il che, in una chiesa tradizionalmente vescovile come quella italiana, è particolarmente grave.

Le cose però vanno ancor peggio dal punto di vista propriamente religioso: la prima opzione infatti, nel tentativo di farsi accettare dai poco o dai non credenti, finisce con l'obliterare proprio la dimensione specificamente religiosa delle proprie proposte, ridotte a mera etica, quando non addirittura a bioetica: un'etica però che, priva di base teologica, fluttua nel vuoto, come un'etica senza filosofia, come un insieme di norme comportamentali accanto a tante altre, relativizzando se medesima. Tale è oggi l'ora di religione che s'impartisce nelle scuole – né potrebbe del resto essere in altro modo, considerando la composizione multietnica degli studenti.

Quanto alla seconda opzione, in apparenza molto più rigida, appare contraddistinta, nelle sue diverse forme, da una caratteristica inversione polare fra ciò che usualmente identifichiamo come *forma* e ciò che identifichiamo invece come *contenuto*: in qualche modo, per questi movimenti, la forma sembra la vera ragion d'essere, la loro sostanza, il loro contenuto, mentre le modalità secondo cui presentano se medesimi – il linguaggio che parlano – sembra essere la loro veste meramente esteriore. In tutte queste realtà la religione appare come un armadio di segni vuoti, mentre la sostanza autentica s'identifica con il totale abbandono alla struttura collettiva, di gruppo – o di branco. Ciò del resto risulta ben visibile nel caso di movimenti contemporanei caratterizzati da un'organizzazione interna del tutto analoga fra loro, riempita però da dottrine che oscillano da un miscuglio fra la Bibbia e *Guerre stellari*, come nel tragico caso del gruppo americano di *Heaven's Gate*, poi finito suicida, fino al culto di Elvis Presley, il cui unico contenuto «dottrinale» sarebbe «don't be cruel» (Politi, 2011, 64 sgg.; Pallamara, 2003–2004). Anche qui, possiamo dire che simili movimenti possono apparire innocui in quanto non

mettono in questione proprio nulla – «tranne forse l'essenza stessa del cristianesimo così come l'abbiamo conosciuto».

Da queste considerazioni possiamo quindi concludere che il declino del monoteismo nella società contemporanea è molto più ampio e profondo di quanto non appaia a prima vista, poiché non si limita alla cosiddetta laicizzazione della società, intesa come l'ampliarsi del settore sociale non più compreso entro il raggio d'influenza della Chiesa, ma trasforma la natura della Chiesa stessa. Tempo addietro ho udito un docente di storia dell'arte raccontare come due dei suoi migliori studenti, invitati a illustrare il significato d'una Annunciazione quattrocentesca, dichiarassero che l'opera raffigurava un vecchio, una ragazza, un bambino e un uccello; io stesso ho dovuto poi constatare come vi fossero studenti, per nulla impreparati, non più in grado di farsi il segno della croce: lo Spirito santo, e con esso il dogma trinitario, risultava loro del tutto sconosciuto.

3.

Queste considerazioni sollevano peraltro il problema delle possibili conseguenze che un simile declino porta con sé e ciò rimanda a sua volta a quello della natura e ruolo della religione. A tale domanda sono state date, da parte dei non credenti, risposte diverse, ma concordi nel ritenere quella religiosa una sfera di livello inferiore o comunque da superarsi nel quadro d'un avanzamento della civiltà: dalla vetusta idea della religione come *instrumentum regni* a quelle, più volgari ma anche molto diffuse, della mera superstizione dovuta a ignoranza e timore. Lo stesso Hegel se, da un lato, assegnava ad essa un ruolo nel processo di autocostruzione dello Spirito, dall'altro ne decretava il superamento nella conquista della piena autocoscienza attraverso la filosofia; quanto al materialismo storico, tutti conoscono quella che è forse la più infelice delle espressioni marxiane, la religione come *oppio dei popoli* in quanto «espressione di una ricerca nell'aldilà di qualcosa che in questo mondo è invece negato a causa dell'alienazione capitalistica. Quindi una sorta di narcotico destinato a sopire mistificatoriamente e a deviare verso altri lidi, meglio dominabili, la sofferenza suscitata dalle ingiustizie sociali che un certo regime economico porta con sé» (Zanardi, 2011, 118).

Nella realtà quotidiana mai nessuno ha preso sul serio le promesse di aldilà felici, né si è sognato d'abbandonare la vita per migrare verso una presunta vita migliore. Gli stessi catari, i quali ritenevano le anime rinserrate in prigioni corporee costruite dal dio delle tenebre, signore di un mondo del male, si limitavano a prescrivere che i morenti dovessero essere lasciati morire naturalmente, senza alcuno sforzo particolare volto a prolungarne la vita. Lo spirito d'adattamento e l'istinto di conservazione sono, tolti rari casi, troppo forti per lasciarsi sopraffare da un sofisma; e nessuna filosofia può sognarsi di andar oltre la nostra base biologica.

La *razionalità* della religione va cercata altrove. Un tentativo a mio avviso convincente è quello cui Ernesto De Martino ha dedicato tutta la propria riflessione, rivisitando il percorso hegeliano su base esistenziale. Nel suo pensiero, la religione assolve al compito di proteggere un io plurale dal quotidiano assalto del divenire, che irrompe nella coscienza turbandone gli equilibri e minacciando quindi di condurla verso il rischio supremo,

quello del collasso sistemico. Di fronte a ciò, la religione opera trasferendo ogni nuovo evento in un orizzonte mitico-rituale dove tutto è già avvenuto *in illo tempore* e dove ogni evento possibile trova la propria spiegazione e la propria risoluzione in termini di metastoria sacra; protetto da questo involucro il singolo può allora ridiscendere poi dal piano destorificato della religione a quello della storia reale e stare in essa *come se non ci stesse*. Di conseguenza la religione «non può essere ridotta ad una mera illusione consolatoria, ma soddisfa una necessità esistenziale ben più radicale, quella di garantire la presenza nel mondo. Ben lungi dall'essere "oppio", essa è piuttosto un'autentica, quanto indispensabile, medicina» (Zanardi, 2011, 119).

> *In questo regime protetto l'uomo sta e opera nella storia, raggiungendo quel tanto di riconoscimento che la sua condizione alienata gli consente: se non disponesse di questo Umweg si sarebbe esaurito, soffocato nell'angoscia. […] Il che significa che il détour della religione è stato a lungo semplicemente «la via giusta», perché l'unica praticabile e possibile nelle condizioni date, l'unica atta a salvare la cultura umana nella storia del mondo (De Martino, 1977, 448).*

Di particolare interesse ai nostri fini è quanto De Martino osserva a proposito del calendario ecclesiastico:

> *il tempo naturale e mondano, gli anni astronomici, vengono riassorbiti ciascuno nello stesso anno liturgico, e l'anno liturgico che si ripete ogni anno ripete a sua volta il tempo dell'evento centrale col suo vertice nella Pasqua di Resurrezione […] Ogni messa ripete l'evento centrale, ma la messa di Natale e soprattutto quella di Pasqua si richiamano con maggior pregnanza ad esso; ogni mese, ogni giorno, ogni ora, ogni istante possiede […] il suo significato ripetitivo, la sua possibilità calendariale di essere riassorbito e santificato nella direzione del centro. Ogni giorno ha il suo santo, ogni ora la sua preghiera e ogni mese la sua festa (De Martino, 1977, 295).*

Questo strumento, tuttavia, può bastare al controllo del divenire ordinario proprio di epoche sostanzialmente statiche, ma risulta impotente a controllare passaggi epocali, là dove siano i grandi assi macrostorici a mutare posizione e natura. E proprio qui si colloca il ruolo di quella che senza ombra di dubbio è stata una delle innovazioni più importanti nella storia del pensiero occidentale: l'idea di *progresso*.

La domenica di Pasqua del 1184 un monaco cistercense, «il calavrese abate Giovacchino»,[1] ha in sonno una visione da cui viene sconvolto al punto che ricorre, per descriverla, alle parole di Giovanni di Patmos: *fui in spiritu in dominica die*. Così come la divinità consta di tre persone, la rivelazione d'essa attraverso la storia, ch'è, in quanto *storia sacra*, discorso di Dio agli uomini, deve articolarsi in tre età, ciascuna delle quali derivante dalla precedente, in modo che disegnino, nel loro succedersi, l'ascesa verso la

1 «Rabano è qui, e lucemi da lato / il calavrese abate Giovacchino / di spirito profetico dotato» (Paradiso, XII, 139–141).

perfezione: dall'età del Padre, durante cui si obbedisce a Dio per mero terrore, a quella del Figlio, ove si obbedisce per amore ma senza comprenderne la ragione, come bambini verso i genitori, a quella dello Spirito in cui, rimosso ogni velo, come nel rito pasquale della rimozione della cortina, sarà possibile contemplare direttamente Dio; e questa età è imminente: ad essa corrisponderà il terzo libro della Rivelazione, quello che poi i francescani chiameranno il *Vangelo eterno*, così come alle età precedenti corrispondono rispettivamente l'Antico e il Nuovo testamento. Gioacchino trova immagini di intenso lirismo per caratterizzare il cammino umano verso la libertà: nel primo stadio eravamo *sub lege*, nel secondo siamo *sub gratia*, nel terzo saremo *sub ampliori gratia;* il primo fu *in scientia*, nel secondo regna in parte la *sapientia*, il terzo sarà *in plenitudine intellectus;* il primo fu all'insegna della sottomissione servile, il secondo della devozione puerile, «tertius in libertate»; il primo *in flagellis,* il secondo *in actione*, il terzo *in contemplatione*. E così via: dal timore, alla fede, all'amore; dallo *status servorum* a quello *liberorum* (dei liberi) a quello *amicorum;* da quello dei fanciulli a quello dei giovanetti a quello *senum;* dalla *luce siderum,* all'aurora, al *perfecto die.* (Riedl, 2004, cap. III, 2; Smirin, 1956[2], cap. 2).

In un supremo sforzo di salvare il mondo entro cui era nato, e soprattutto l'istituto monastico, Gioacchino elabora così uno schema di storia sacra in grado di ricondurre entro un orizzonte mitico-rituale perfino le macrotrasformazioni storiche, insegnando in tal modo a contemporanei e posteri a non aver paura del cambiamento, anzi, a perseguirlo e ad accoglierlo con gioia. In questo sta il genio di Gioacchino, giunto incredibilmente, pur in termini laici, fino ai nostri giorni.

4.

Che relazione ha tutto ciò con il problema da cui eravamo partiti? Tutte le popolazioni antiche hanno concepito la realtà come frutto dell'opposizione polare fra due principi opposti, il cosmo e il caos; generare e mantenere in essere il cosmo è compito degli dei, la cui opera gli uomini devono assecondare, osservando il principio che anima il cosmo stesso in ogni sua manifestazione, dal corso degli astri fino all'esercizio della virtù e della giustizia terrene – quello che è il *ma'at* per gli egizi, il *rita* nell'India vedica e il *tao* per il pensiero cinese. Il mondo abitato dall'uomo è il regno dell'ordine; ma le potenze del caos non sono state distrutte: esse circondano il cosmo, ma un giorno riprenderanno fatalmente il sopravvento: quando ciò avverrà, in Scandinavia il grande lupo Skoll inghiottirà il sole e allora saranno il *crepuscolo degli dei* e la fine del mondo (Cohn, 2001; Ligi, 1998).

Su questa base costruisce anche la più antica e la più rigorosa fra le religioni monoteiste, introducendo però una novità essenziale; anche per l'ebraismo prebabilonese l'unico Dio crea il mondo dal caos separando cielo e terra con la potenza performativa della propria parola:

> *Nel principio Iddio creò i cieli e la terra. E la terra era informe e vuota e le tenebre coprivano la faccia dell'abisso e lo spirito di Dio aleggiava sulla superficie delle acque. E Dio disse: «Sia la luce!» E la luce fu. E Dio vide che la luce era buona; e Dio separò la luce dalle tenebre. (Genesi, 1–4)*

Ma, a differenza che in tutte le altre religioni, qui la sconfitta del caos è per sempre: il monoteismo della scuola deuteronomista non può ammettere che vi sia un qualunque altro potere tale da contendere con l'unico, onnipotente Iddio. Le potenze del caos continuano ad essere evocate mediante simboli carichi d'un fascino sinistro: il serpente, essere privo di braccia e gambe, essere informe che tenta l'uomo nel giardino dell'Eden; il deserto, che circonda il mondo ordinato così come la corrente Oceano dello scudo d'Achille. Ma il serpente può soltanto far cadere provvisoriamente l'uomo, il deserto viene oltrepassato e vinto.

Il tramonto del monoteismo, dunque, ha di necessità per conseguenza il ritorno del caos; la vita dell'uomo contemporaneo è destinata a bilanciarsi di nuovo entro un fragile equilibrio fra ristrette isole di cosmo e la potenza minacciosa dell'informe e dell'indeterminato, come nei tempi più antichi; mentre però allora la fine del mondo ordinato s'inseriva all'interno d'uno schema eternamente ciclico di creazione e distruzione; mentre perfino per le popolazioni scandinave, angosciate da notti interminabili, il sole inghiottito dal lupo Skoll sarebbe poi rinato, nulla del genere interviene a domesticare le insicurezze dei contemporanei, chiamati a un'opera quotidiana e incessante per ricostruire e salvaguardare la propria realtà dal rischio della disintegrazione.

5.

Ma stanno poi davvero così le cose? Questa immagine di catastrofe imminente può esaurire i termini del problema? Credo proprio di no. A ben considerare, contaminazione, disordine, caos, sono vere e proprie *voces mediae,* possono alludere alla morte così come alla nascita, alla distruzione così come alla creazione. Il flusso del divenire può rappresentare una minaccia per l'io, ma può anche risolversi nella suprema esaltazione dell'io medesimo nell'ethos del trascendimento; e Achille, contemplando il magnifico scudo forgiato da Efesto, può sciogliersi dall'abbraccio con i cadaveri del passato e riprendere il proprio posto sul campo di battaglia.

La caduta del monoteismo agisce su tutte le connotazioni valoriali. All'aprirsi di quello che T. Pievani ha già definito «il secolo della biologia», poderose correnti di pensiero attraversano la genetica, l'embriologia, la paleontologia, l'etologia, il dibattito evoluzionistico, restituendo un'immagine completamente modificata di noi stessi e dell'ambiente in cui viviamo: non più frutto d'un piano comunque intelligente e finalisticamente orientato, ma proprio del caso/caos, su un pianeta dove «e la sede e i natali | non per voler, ma per fortuna avesti».

L'affascinante prospettiva disegnata da Stephen J. Gould, per esempio, disegna il quadro d'una vita che si sviluppa in modo del tutto disarmonico e dis-orientato, grazie a genomi «a mosaico», ove i diversi «pacchetti» di DNA operano secondo temporalità inaspettabili e discontinue (*eterocronia*), ora accelerando lo sviluppo, e aggiungendo caratteri nuovi (*ricapitolazione*), ora ritardandone altri a livelli infantili o fetali (*neotenia*); altri caratteri possono nascere ancora senza altra funzione che di coordinamento fra strutture diverse – è la celebre metafora dei *pennacchi* della basilica veneziana di San Marco, elementi architettonici necessari per collegare una forma circolare a una quadrata e abbel-

liti *a posteriori* con elementi pittorici, come le figure dei quattro evangelisti; altri ancora possono essere rifunzionalizzati rispetto al loro utilizzo originario mediante un processo non di adattamento ma di *esattamento* (*exaptation*), come le penne degli uccelli, passate da strumenti di termoregolazione al volo.

In tal modo lo stesso *homo sapiens sapiens* può essere visto non già come il culmine del creato descritto nel *Genesi*, ma come una *scimmia neotenica*, il cui sviluppo cioè si sia arrestato in alcuni tratti, privandola della pelliccia e soprattutto ritardando la saldatura delle ossa del cranio, con una conseguente crescita abnorme della massa cerebrale, una testa troppo grossa, la necessità d'un parto prematuro e il compimento dell'ontogenesi fuori dal ventre materno, grazie a un'esposizione particolarmente prolungata all'ambiente e soprattutto alle cure parentali. Il frutto insomma di quello che, ben a ragione, qualcuno ha potuto chiamare *il benevolo disordine della vita* (Girotto et al., 2008; Gould, 2013; Cavazzini et al., 2013; Buiatti, 2004).

VRNITEV KAOSA

Giorgio POLITI
Univerza Ca' Foscari v Benetkah, Oddelek za humanistiko, Dorsoduro 3484/D, 30123 Venezia, Italija
e-mail: politi@unive.it

POVZETEK

Sinergijski učinek laizacije družbe na eni strani, na drugi pa njene multietnične obarvanosti, povzroča vse večjo marginalizacijo tradicionalnih monoteističnih religij, prisotnih na evrazijski šahovnici – krščanstva, judovstva in islama – ki so že izgubile svojo vrednost referenčnega okvirja, bistvenega za prebivalce teh območij, in se spremenile v religije kot številne druge, veljavne samo za vedno bolj zaprte skupine njihovih pristašev.

To poraja izredno pomemben kulturni – še bolj pa psihološki – fenomen, ki ga doslej ni še nihče raziskal: ta fenomen lahko opredelimo kot vrnitev kaosa. Kot je znano, so kozmogonije in kozmologije vseh antičnih ljudstev, tudi tistih, ki niso imeli medsebojnih stikov, temeljile na osnovni dihotomiji med kozmosom in kaosom: potegniti kozmos iz kaosa je bilo delo bogov. Vendar to delo ni bilo opravljeno enkrat za vselej, dokončno, temveč je neprestano in začasno. Kaos obstaja in obdaja in nenehno grozi kozmosu, nekega dne pa bo znova imel usodno premoč in bo stvarnost vrnil nazaj v prvotni kaos. Človeška dejanja, ki se kosajo z delom bogov, so razumljena kot nenehna prizadevanja, da bi spremenila kaos v kozmos.

Monoteistična verstva to tradicijo drastično prekinejo: ne morejo namreč dopustiti, da bi obstajale druge sile, ki bi nasprotovale edinemu Bogu: kaos je bil samo na začetku, medtem ko je stvarnost v samem kozmosu, nespremenljiva, vse dokler se Bog ne bo odločil, da ne bo znova vzpostavil prvotnega kaosa, temveč kozmos na višji ravni, ki bo trajal večno.

Kolaps monoteističnih verstev pa paradoksalno ponovno obuja starodavne kozmološke perspektive: sodobni človek je poklican, da se v svojem vsakdanjem življenju, ki ga nenehno ogrožajo sile kaosa, znova loti ustvarjanja kozmosa (kosmopoiētikos).

Ključne besede: Evrazija, monoteizem, kaos, kozmos, kozmologija

BIBLIOGRAFIA

Buiatti, M. (2004): Il benevolo disordine della vita. La diversità dei viventi fra scienza e società. Torino, Utet.

Cavazzini, A., Gualandi, A., Turchetto, M., Turriziani Colonna, F. (2013): L'eterocronia creatrice. Temporalità ed evoluzione in Stephen J. Gould, Prefazione di T. Pievani. Milano, Unicopli.

Cohn, N. (2001²): Cosmos, Chaos and the World to Come. The Ancient Roots of Apocalyptic Faith (1ª ed. 1993). New Haven, London, Yale University Press.

De Martino E. (1977): La fine del mondo. Contributo all'analisi delle apocalissi culturali. Gallini, C. (ed.). Torino, Einaudi.

Girotto, V., Pievani, T., Vallortigara, G. (2008): Nati per credere. Perché il nostro cervello sembra predisposto a fraintendere la teoria di Darwin. Torino, Codice edizioni.

Gould, S. J. (2013): Ontogenesi e filogenesi. Turchetto, M. (ed.) (ed. orig. 1977). Milano, Udine, Mimesis Edizioni.

Ligi, G. (1998): I miti scandinavi della luce. Fertilità e iniziazione nei miti nordici. Roma, Gangemi editore.

Marzano, M. (2009): Cattolicesimo magico. Un'indagine etnografica. Milano, Bompiani.

Pallamara, E. (2003–2004): E Elvis disse: "Don't be cruel". Tesi di laurea, Università degli studi di Milano Bicocca, Facoltà di sociologia.

Pievani, T. (2012): Il viaggio di Charles Darwin intorno al mondo. RaiTre Wikiradio del 27. 12. 2012.

Politi, G. (2011): La storia lingua morta. Milano, Unicopli.

Riedl, M. (2004): Joachim von Fiore. Denker der vollendeten Menschheit. Würzburg, Königshausen & Neumann.

Smirin, M. M. (1956²): Die Volksreformation des Thomas Müntzer und der große Bauernkrieg, übersetzt von Hans Nichtweiß. Berlin, Dietz Verlag.

Zanardi, C. (2011): Sul filo della presenza. Ernesto De Martino fra filosofia e antropologia. Milano, Unicopli.



Fig. 1: William_Bouguereau_-_Dante_and_Virgile_-_Google_Art_Project_2.jpg

Received: 2014-10-21 UDC 75:929Tiepolo
Original scientific article

GIAMBATTISTA TIEPOLO: LA CREAZIONE DELLA CONTAMINAZIONE

Sergio MARINELLI
Università Ca' Foscari Venezia, Dipartimento di Studi Umanistici, Dorsoduro 3484/D, 30123 Venezia, Italia
e-mail: smarin@unive.it

SINTESI

Il motivo che ha portato al saggio è la polemica antica sull'uso dell'arte dell'antichità classica da parte di Giambattista Tiepolo. Risulta da confronti figurativi precisi tra le incisioni eseguite su suo disegno e le pitture che l'artista ha prima fedelmente copiato e poi variato i modelli classici con svariati mutamenti.

Parole chiave: Tiepolo, classicità, incisione, pittura, contaminazione

GIAMBATTISTA TIEPOLO: THE CREATION OF CONTAMINATION

ABSTRACT

The reason that led to this paper is the ancient controversy about the use of classical art by Giambattista Tiepolo. It is evident from figurative comparisons between the engravings from his drawings and his paintings that the artist first has faithfully copied the classical models and then he changed them with different variations.

Key words: Tiepolo, classical antiquity, engraving, painting, contamination

Se l'arte è di per sé contaminazione, e lo è sempre anche se in minima parte, alcuni suoi aspetti lo sono in fantasmagorica evidenza. Accanto a periodici ritorni alla purezza, che si rivela sempre alla fine una pretesa e un miraggio irraggiungibile, spesso solo una negazione opposta e simmetrica delle contaminazioni precedenti, sono ricorrenti nella storia sintesi programmatiche e mescolamenti della figurazione totale. La creazione prosegue per continuità, opposizione, mescolamento. Nulla nasce dal nulla. Avviene come per la colomba di Kant, che si illude invano di volare più veloce nel vuoto.

Le punte più alte e felicemente realizzate di questo processo nell'epoca moderna appartengono probabilmente, per la sua aspirazione all'universalità, all'età barocca. Se già infatti Raffaello fu artista insuperabile di mediazioni e di sintesi, dopo di lui il fiammingo Pier Paolo Rubens rappresentò il modello della ricomposizione di tutto l'insieme figurativo che, dopo Raffaello e fino ai suoi giorni, era deflagrato nelle infinite varianti del manierismo. Anche se, pur limitandosi all'ambito italiano, l'accademia di Annibale Carracci, aveva già tentato un'analoga sintesi.

I risultati dell'ulteriore deflagrazione, dopo Rubens, saranno ricomposti nell'ultima arte davvero universale, quella di Giambattista Tiepolo, che "[…] ha aperto la strada a un'arte nuova bruciando tutta la sostanza storica di una grande tradizione, la tradizione italiana […]" (Argan, 1980, 440). Ma non solo.

Veramente, poco più di una generazione prima di lui, e nella stessa città, un altro artista tentò, in modi forse più inconsci, la medesima sintesi. Sebastiano Ricci cominciò a coniugare, con spregiudicata disinvoltura, i pittori tenebrosi veneti con Correggio, i

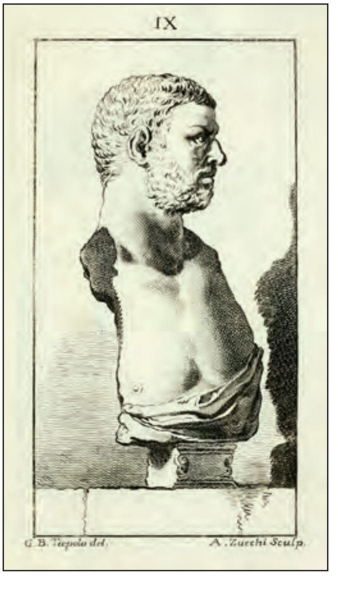


Fig. 1: Andrea Zucchi (da Giambattista Tiepolo), busto di Caracalla (dalla Verona Illustrata di Scipione Maffei, 1732)



Fig. 2: Giambattista Tiepolo, Il trionfo di Mario (New York, Metropolitan Museum)

Carracci con Magnasco, Bassano con Tintoretto, Veronese con Rubens, Raffaello con Caravaggio, con qualche conoscenza anche di Rembrandt, con Watteau. Ma l'elaborazione di Ricci, benché spesso geniale, fu sempre occasionale e mai veramente sistematica, collegata anche alla base con la sua frequente e variegata attività di stimatore, di mercante, di restauratore, di falsario.

Tiepolo, venuto dopo, collocò anche Ricci tra gli elementi della sua sintesi universale, ricollegandolo nuovamente anche alle sue fonti rivisitate. Così, se in qualche modo quella di Ricci è una metapittura, quella di Tiepolo, a un grado più alto, è metapittura della metapittura.

Così Tiepolo analizza e assorbe direttamente l'arte di Veronese insieme col filtro veronesiano di Ricci. Approfondisce Rembrandt, appena sfiorato da Ricci (cfr. Marinelli, 2012). Ne conosce dipinti e disegni, ma specialmente tutte le stampe, la collezione stessa di Rembrandt, importata a Venezia da Zanetti. Studia direttamente Rembrandt e al tempo stesso la visione rembrandtiana di Gian Benedetto Castiglione, che include anche la conoscenza di Poussin e Bernini.

Poi, tutto questo universo figurativo è raccolto, o sarebbe meglio dire fatto esplodere, bruciare, in una cifra figurativa rigorosa e inconfondibile, che non può essere neppure sfiorata dall'accusa di eclettismo, tanto le forme sono trasfigurate nella fusione. Accusa di eclettismo che non era mancata invece in qualche modo in passato, anche se ingiustamente, a Ricci, artista apparentemente inconfondibile ma preso troppo spesso nelle contingenze e negli interessi del mercato. Basti ricordare l'esempio del suo *Ritrovamento di Mosè*,



Fig. 3: Giambattista Tiepolo, Il trionfo di Mario, New York, Metropolitan Museum (part.)

che a noi oggi sembra inconfondibilmente riccesco ma che nel Settecento il console inglese Smith, certo senza l'opposizione dell'autore a suo tempo, riuscì a far incidere come opera di Veronese da Jackson e a vendere sotto lo stesso nome a Giorgio III d'Inghilterra.

Ma l'elemento della contaminazione non resta alla superficie dell'arte di Tiepolo, non si limita alla raccolta di tutta l'arte figurativa nota, ma scende ancor più nel profondo dell'identità dell'uomo e dell'artista, facendone un campione assoluto d'ambiguità a dir poco sublime.

Il rapporto universale con tutti i linguaggi stilistici conosciuti non esclude quello classico e archeologico, tema su cui ci siamo già in altre occasioni soffermati (cfr. Marinelli, 1978, 217–221; Marinelli, 1998; Pavanello, 1998; Rossi, 1998). Il punto resta importante perché tutta la critica storica, da Winckelmann a Longhi, ha ritenuto Tiepolo un artista anticlassico (anche se, nell'ultimo caso, comunque accademico), ma neppure per volontà, per ignoranza (sull'interpretazione di Tiepolo fatta da Roberto Longhi si veda da ultimo Calasso, 2006; Marinelli, 2013). A Tiepolo spetta invece una delle prime campagne di rilevamento archeologico della statuaria, che parte dalla commissione di Scipione Maffei per Verona, del 1724, in largo anticipo su quelle di Batoni e Campiglia a Roma. Al pittore fu richiesto di documentare figurativamente le più importanti sculture classiche della città, quelle della collezione Bevilacqua, e una statua della collezione dello stesso Maffei, raffigurante *Giove Serapide*. Il numero dei soggetti prescelti fu limitato certamente per contenere i costi del soggiorno del giovane artista, già famoso, sulla cui attività il nobile



Fig. 4: Andrea Zucchi (da Giambattista Tiepolo), busto di Marco Aurelio (dalla Verona Illustrata di Scipione Maffei, 1732)



Fig. 5: Andrea Zucchi (da Giambattista Tiepolo), busto di Lucio Vero (dalla Verona Illustrata di Scipione Maffei, 1732)

studioso espresse tutta la sua soddisfazione. Tiepolo fornì solo i disegni delle sculture, che furono poi incisi nella bottega veneziana degli Zucchi, la cui abilità, pur riconosciuta, restava a livello artigianale. Le incisioni, stampate sulla *Verona illustrata* di Maffei, nel 1732, conservavano comunque, in più delle altre riproduzioni classiche contemporanee, un'eco delle ombre riportate e del tratto luminosamente pittorico originale, tentando anche, seppur nei limiti espressivi minimali, impostazioni illusionistiche delle immagini.

Solo poco più tardi Tiepolo passerà direttamente all'incisione, studiando la tecnica sugli esempi insuperabili di Rembrandt, che egli poteva vedere nella collezione di Anton Maria Zanetti, il quale si era portato a Venezia la raccolta personale dello stesso artista olandese.

L'operazione veronese restò invece in ombra perché, per eventi ancora inesplicati, tutti i disegni originali di Tiepolo andarono perduti, o non sono stati ancora rintracciati, e la figura dell'artista fu presto dissociata da ogni discorso classicista, come se quell'avventura giovanile non avesse lasciato traccia nella sua pittura. Più semplicente essa fu ignorata sia dagli studiosi del classicismo fuori del Veneto sia dagli studiosi veneti, più interessati ai problemi attribuzionistici.

Le tracce di quell'avventura nell'arte di Tiepolo invece restano, come si è rilevato, ma non sono immediatamente decifrabili.

Il *Giove Serapide*, statua d'iconografia rarissima, finisce nel giardino della villa di Cleopatra, sull'affresco di Palazzo Labia del 1747 circa, appunto dietro alla regina d'Egitto, anche se la statua proveniva dal Serapeo veronese, e di profilo, mentre la riproduzione

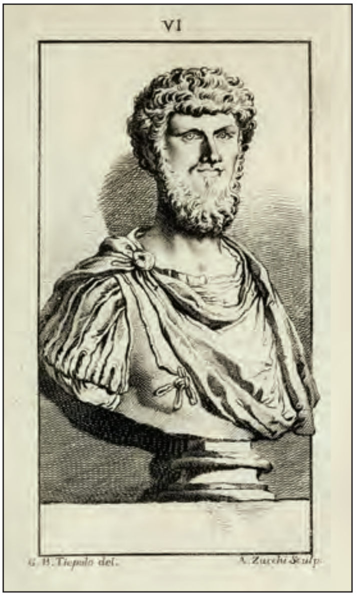


Fig. 6: Giambattista Tiepolo, Storia di Cincinnato (San Pietroburgo, Ermitage)

del 1732 è frontale.Questo dimostra che, per ogni opera, i disegni furono molti e diversi, come si conviene alla scultura. La singolare collocazione nell'affresco ha dissimulato la fonte fino al 1996.

Ma ben prima le sculture romane dei Bevilacqua si riconoscono nei teleri Dolfin, del 1727 circa. Nel *Trionfo di Mario*, che si conserva ora al Metropolitan Museum di New York, il generale romano presenta i tratti inconfondibili del bellissimo esemplare veronese del ritratto di *Caracalla,* ora all'Antikensammlung di Monaco. Solo che è visto di fronte, mentre nella riproduzione del 1732 era di profilo. Anche il ritratto di *Lucio Vero*, più che quello di *Marco Aurelio*, dà le sue fattezze alla figura di Cincinnato in un ulteriore episodio dei teleri Dolfin conservato all'Ermitage di San Pietroburgo. Anche il mascherone sul sarcofago del *Sacrificio di Ifigenia* a Villa Valmarana a Vicenza varia di poco quello del Teatro Romano veronese riprodotto nel 1732. E l'impresa veronese non fu l'unico contatto del giovane Tiepolo con l'arte classica, poi che disegnò alcune statue romane della Marciana per gli Zanetti nel 1724, il celebre *Vitellio* veneziano già studiato da Tintoretto e da Bassano e altri esemplari classici in cui dovette imbattersi nel tempo.

Disegnò poi per l'incisione anche alcuni capolavori della scultura contemporanea, come quello, iperbarocco, di Antonio Corradini ai Carmini di Venezia (si veda ancora Pavanello, 1998).

Ma l'originalità dell'operazione tiepolesca sull'arte classica resta nel fatto che essa non si limitò a una fredda e servile documentazione, come avrebbero voluto gli assertori della sua superiorità, ma la portò a rivivere nella pittura moderna. La reincarnazione di Caracalla nella figura "settecentesca" di Mario è viva e impressionante, tanto che nessuno per tre secoli se n'è accorto.

Tiepolo usa le fattezze delle statue classiche per far rivivere i "suoi romani". Quando copia, ma segretamente, le statue antiche, Tiepolo non è mai "statuino", per usare la terminologia barocca di Boschini e Malvasia. Anche la scultura di *Giove Serapide* è una luminosa statua moderna di villa settecentesca dietro a una Cleopatra vestita come una grande attrice moderna dei teatri veneziani dell'epoca.

Questa operazione naturalmente non fu riconosciuta, neppure vista, dai teorici del classicismo. Mengs, che pure collezionava bozzetti di Tiepolo, forzò in malafede l'opposizione per eliminare, sul piano ideologico, il suo più importante antagonista. Non sentì invece antagonismo Canova che, come si è scoperto recentemente, riuscì ad accapararsi la maggior parte dei disegni di Tiepolo. Solo altrettanto recentemente Fernando Mazzocca ha fatto partire provocatoriamente nelle sue mostre da Tiepolo l'arte neoclassica, ma anche questa naturalmente è una forzatura in senso contrario.

Ma la capacità della contaminazione creativa di Tiepolo va ancora oltre. Emergono altri aspetti, soprattutto dalle incisioni, che furono le più personali creazioni dell'artista, dove lui, accusato sconsideratamente di soggiacere alla volontà di una committenza schiacciante, fu, in questa occasione, il solo committente di se stesso. Le composizioni rimangono indecifrate perché nessun testo le accompagna e nessun testo si è ritrovato che le spieghi nella loro rappresentazione. Sono indubbiamente scene di un'Arcadia magica, popolata di pastori, di satiri, di maghi in vestiti orientali, di soldati, di greggi, di serpenti e di uccelli notturni. Sono perlopiù varianti una dell'altra. Ogni figura può vagamente



Fig. 7: Giambattista Tiepolo, Scherzo (incisione)

rispondere di per se a una sua letteratura iconologica, ma l'insieme delle relazioni e degli eventi resta sempre inspiegabile.

Molto spesso emergono dalla terra lastre marmoree con scene classiche di guerrieri e cavalli, che evocano vagamente le rappresentazioni sugli archi trionfali romani. Altri simili bassorilievi ornano gli altari su cui i maghi compiono i loro riti infernali. Sugli stessi altari compaiono varianti della testa di satiro già vista a Verona e a Vicenza. Ora va ribadito che di nessuno di questi rilievi si conosce un preciso originale antico copiato.

Tiepolo ha imparato a Verona il linguaggio figurativo della scultura romana classica e continua a ricrearla lui, per tutta la sua attività, con l'aspetto di un'arte sempre nuova e viva, perfettamente credibile, senza l'apparenza mortifera della documentazione archeologica o del falso diligente, che paralizzò le puntualissime riprese dell'età neoclassica. E questo è un altro aspetto che gli assertori dommatici del classicismo non gli perdoneranno mai.

Lo stesso procedimento di ricreazione facile e spontanea si verificava per la scultura moderna dei veneziani contemporanei e ancor più per gli stucchi, immancabili nella grandi decorazioni barocche.

Tiepolo costruirà straordinari giochi illusionistici in tal senso, affiancando gli affreschi agli stucchi e dipingendo illusionisticamente gli stessi stucchi, cancellando o facendo apparire illusoriamente la loro differenza materica nell'immagine, come nelle chiese veneziane dei Gesuati e di San Francesco della vigna.

E lo stesso si può dire dell'architettura dipinta all'interno delle rappresentazioni delle scene, che mescola al classicismo antico rievocato dai trattati cinquecenteschi quello di Veronese, inondato di luce, e anche la quadratura illusionistica barocca. Ma sempre a una scala monumentale esorbitante, incredibile e impossibile. Già l'architettura veneta settecentesca, con ville e palazzi sovradimensionati, s'imponeva vistosamente su quella più misurata del Cinquecento. Ma le architetture dei dipinti di Tiepolo vanno ben oltre ad ogni realizzazione europea, sfidano le prospettive interminabili dei palazzi di Rastrelli nella mitica Tauride, la Russia imperiale.

Le arcate di fondo che si vedono nel *Banchetto di Cleopatra* a Melbourne o anche in semplici bozzetti, come l'*Alessandro e Bucefalo* del Petit Palais a Parigi, o le scale al cielo interminabili sul soffitto affrescato dei Gesuati, evocano la incommensurabile grandezza di spazi di fatto impossibili, inesistenti, come le *Carceri* del suo allievo più geniale, Piranesi. Più oltre c'è solo la grandezza del vuoto. E la contaminazione estrema sarà quella del reale con l'irreale utopistico, infine col non essere del vuoto.



Fig. 8: Giambattista Tiepolo, Scherzo (incisione)

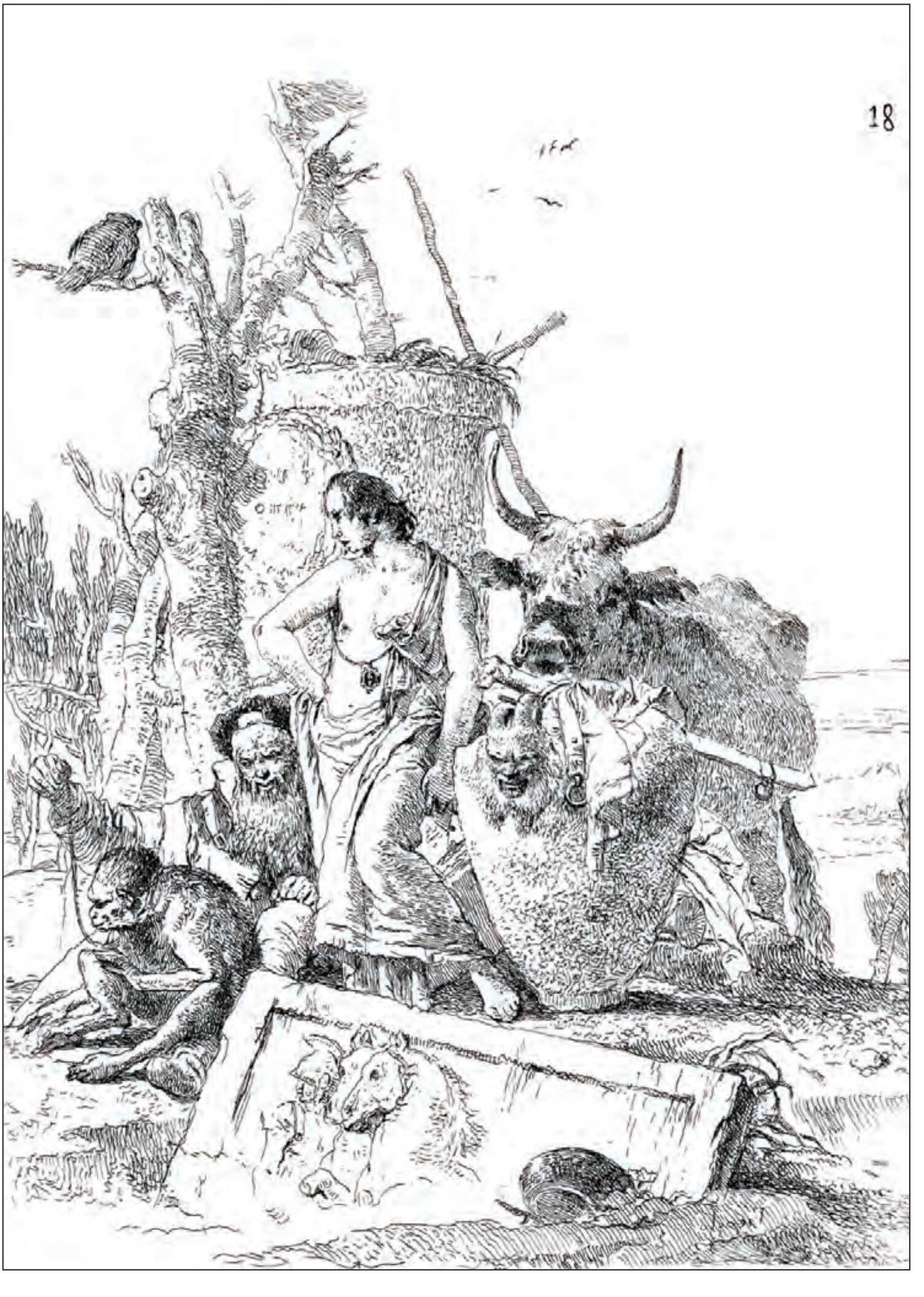


Fig. 9: Giambattista Tiepolo, Scherzo (incisione)

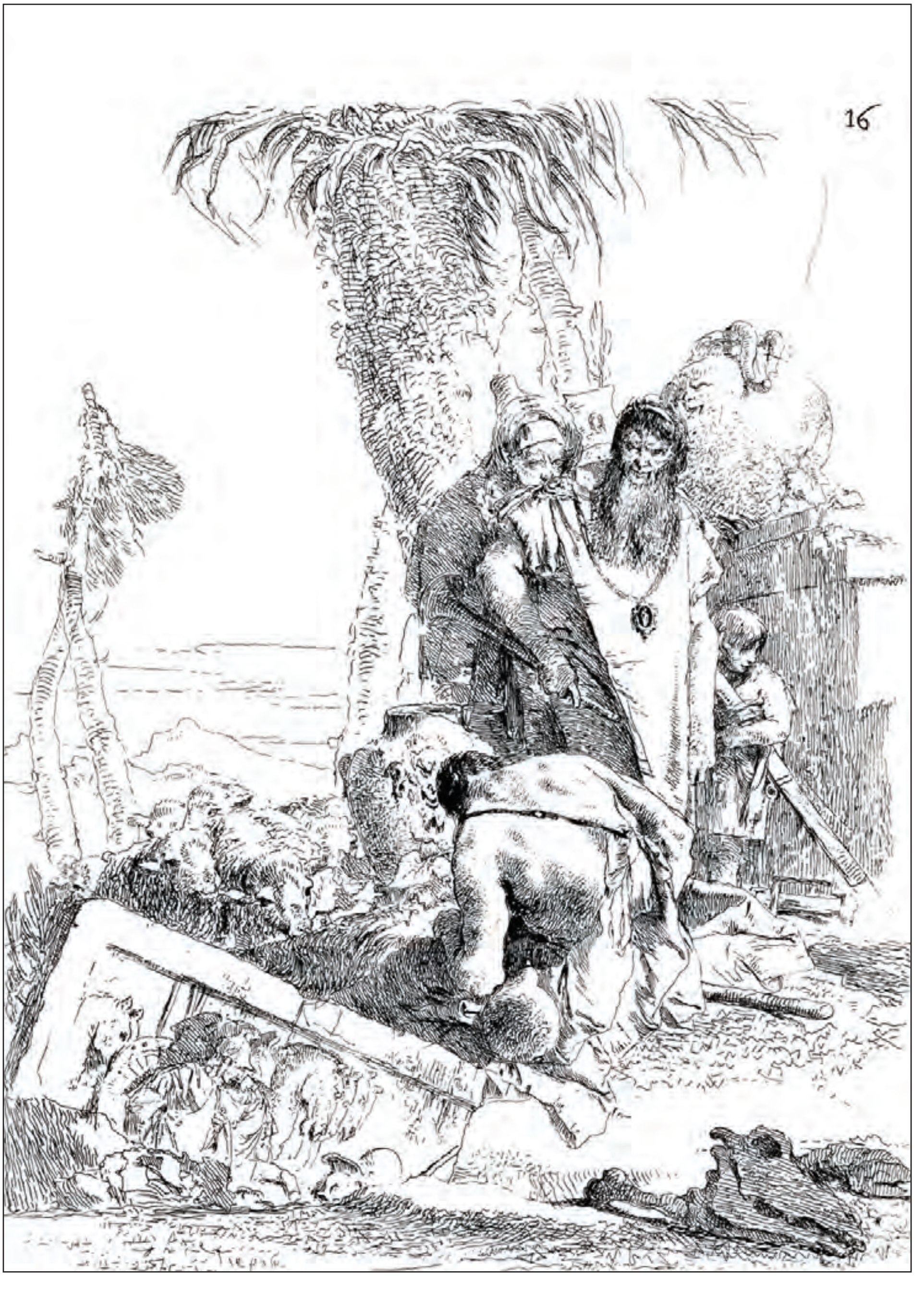


Fig. 10: Giambattista Tiepolo, Scherzo (incisione)

GIAMBATTISTA TIEPOLO: NASTANEK KONTAMINACIJE

Sergio MARINELLI
Univerza Ca' Foscari v Benetkah, Oddelek za humanistiko, Dorsoduro 3484/D, 30123 Venezia, Italija
e-mail: smarin@unive.it

POVZETEK

Esej analizira odnose Giambattista Tiepola s klasično rimsko umetnostjo v dogodku, ki je v celoti dokumentiran v ilustracijah v zbirki Bevilacqua in zbirki Maffei k besedilu Scipione Maffeia Verona Illustrata, izdano v Veroni leta 1732.

Uporabljena metoda je preverjanje slikovnih virov − jedkanic, ki se nahajajo v besedilu, in posebnih ilustracij, ekstrapoliranih iz izvirnih slik in originalnih jedkanic Giambattista Tiepola. Iz takšne primerjave izhaja, da je slikar uporabljal risbe, ki so bile predloga za jedkanice, tudi za pomembna slikarska dela, pri čemer je poustvarjal rimske osebnosti z natanko istimi lastnostmi, kot jih imajo kipi iz arheoloških zbirk, in tako izumljal čisto izmišljen arheološki material na osnovi znanega, ki je v resnici obstajal.

Ključne besede: Tiepolo, klasika, jedkanica, slikarstvo, kontaminacija

FONTI E BIBLIOGRAFIA

Argan, G. C. (1980): Storia dell'arte italiana. Firenze, Sansoni.

Calasso, R. (2006): Il rosa Tiepolo. Milano, Adelphi.

Marinelli, S. (1978): Giambattista Tiepolo. In: Magagnato, L. (ed.): La pittura a Verona tra Sei e Settecento. Vicenza, Neri Pozza, 217–221.

Marinelli, S. (1998): Vicende veronesi di Giambattista Tiepolo. In: Puppi, L. (ed.): Giambattista Tiepolo nel terzo centenario della nascita. Atti del convegno. Padova, Il Poligrafo, 43–46.

Marinelli, S. (2012): Modelli diversi di Sebastiano Ricci. In: Pavanello, G. (ed.): Sebastiano Ricci 1659–1754. Atti del convegno di studi Venezia 14-15 dicembre 2009. Verona, Scripta, 59–70.

Marinelli, S. (2013): La nostra più alta cultura figurativa. In: Barral i Altet, X., Gottardi, M. (eds.): La storia dell'arte a Venezia ieri e oggi: duecento anni di studi. Atti del convegno di studi di Venezia, 5–6 novembre 2012. Venezia, Ateneo Veneto, 279–291.

Pavanello, G. (1998): Tiepolo e la scultura: dalla copia all'invenzione. In: Puppi, L. (ed.): Giambattista Tiepolo nel terzo centenario della nascita. Atti del convegno. Padova, Il Poligrafo, 165–170.

Rossi, R. (1998): Giambattista Tiepolo e la scultura del suo tempo. In: Puppi, L. (ed.): Giambattista Tiepolo nel terzo centenario della nascita. Atti del convegno. Padova, Il Poligrafo, 171–176.

Received: 2015-2-21 UDC 94:343.1(4)
Original scientific article

FEUD AND VENDETTA: CUSTOMS AND TRIAL RITES IN MEDIEVAL AND MODERN EUROPE. A LEGAL-ANTHROPOLOGICAL APPROACH

Claudio POVOLO
Università Ca' Foscari Venezia, Dipartimento di Studi Umanistici, Dorsoduro 3484/D, 30123 Venezia, Italia
e-mail: clpovolo@gmail.com

SUMMARY

The challenge to the vendetta, understood as a genuine legal and cultural system that regulated the organization of conflict and thereby constituted an instrument of social control, was a very important phenomenon in almost all the countries of Europe. One of the instruments adopted by the new state realities was the introduction of inquisitorial procedures, whose aim was not only to impose a different legitimization of violence but also to put a end to the connections between customary rites and judicial practices that had for centuries characterized the legal system of the vendetta. The new punitive justice was marked by both the imposition of severe penalties and by the absence of an active role in the resolution of conflicts of the parties involved.

Key words: vendetta, custom, law, peace, trial, justice

FAIDA E VENDETTA TRA CONSUETUDINI E RITI PROCESSUALI NELL'EUROPA MEDIEVALE E MODERNA. UN APPROCCIO ANTROPOLOGICO-GIURIDICO

SINTESI

La messa in discussione della vendetta, intesa come vero e proprio sistema giuridico e culturale che regolamentava l'organizzazione dei conflitti e si poneva come strumento di controllo sociale, fu un fenomeno di grande portata che caratterizzò gran parte dei paesi europei. Uno degli strumenti utilizzati dalle nuove realtà statuali fu l'introduzione delle procedure inquisitorie, che non solo avevano il fine di imporre una diversa legittimità della violenza, ma avevano altresì l'obbiettivo di porre fine all'interrelazione tra riti consuetudinari e pratiche giudiziarie che per secoli aveva caratterizzato il sistema giuridico della vendetta. La nuova giustizia punitiva si caratterizzò sia per l'imposizione di pene severe, che per il venir meno del ruolo attivo delle parti nella risoluzione dei conflitti.

Parole chiave: vendetta, consuetudini, diritto, pace, processo, giustizia

PREMISE

The pages that follow develop a topic that in recent decades has attracted the attention of historians particularly interested in stimuli and suggestions coming from other disciplines, especially from anthropology. As we shall see, many medieval and modern historians have investigated this topic. In doing so, they adopt, even in the terminology they use, problems, suggestions and arguments reflecting the specific tradition of each period. Likewise, the different contexts examined have brought to the surface aspects of feud and violence that are not readily comparable considering the political and legal dynamics that surround them. The most analytic and accurate attempts (such as the studies of William Ian Miller and Christopher Boehm, which are discussed below) have substantially described the feud as a legal system aimed at regulating conflicts between mutually hostile groups with the aim of managing and controlling political and economic resources. This system often envisioned recourse to murder and reprisal, but it also expressed an essential need to restore peace, whether through monetary compensation, by handing over a woman, or through other forms of pacification that were interpreted by the individuals and the community involved according to the complex language of honour.

Here we should add that this qualified feud as a prevalently customary system, even when the society that used it possessed some written system of law. What is more, feuds could take place according to their customary rules only in the absence of a centralized, intrusive political power. Attempts at outside regulation (whether through forced containment of the tensions that marked the feud and/or through the imposition of peace pacts) not approved by the opposing groups, inevitably led to a great increase in violence, as well as to challenging the protagonists of the conflict, who were not willing to give up their role and social identity. To some degree this political and social process can already be identified in certain European countries starting from the late 16th century. However, it exists potentially whenever a political power tends to differentiate itself and emerge out of the social context it expresses.

The approach followed here makes use of a particular discipline, i.e., legal anthropology. This approach tends to use the domain of the law, understood in its pluralistic meaning, its procedures and practices seen in light of the conflictual dynamics that drove societies marked by the existence of politically influential classes, social and kin groups and imbued with the code of violence and honour.

Though along general lines, in the first part of this essay we deal with the complex and often exclusive relations existing between the world of custom and the society based on the specialized, chiefly written law which began to be established with the introduction of the ius commune in Europe from the late 12th century on. We focus in particular on the trial rites[1] that rapidly absorbed, with a variety of interpretations, a customary legal tradition deeply marked by the existence of feud and the need to control conflict. Far from having an irrational system of proofs, the early Middle Ages had worked out a highly sophisticated legal system. This was a system that expressed a concept of justice clearly

1 Trial rites is a more historically appropriate definition than procedural rites.

reflecting both particular political systems and customary laws directed at affirming an essentially communitarian form of social control.

The affirmation of a new legal system, later to be known as common law, strongly based on Roman and canon law and marked by the use of writing, had among its consequences that of absorbing the variety of customary legal systems prevalent until then. These systems had been considered binding, in that they were the expression of the community they represented. The new legal system was based on the interpretation of jurists and was applied through sophisticated, complex judiciary procedures, and it had a profound influence on the resolution of conflicts in which the parties involved and the judgment of peers had previously had a preeminent role.

This has been referred to as the start of a form of hegemonic justice, considering the characteristics that have been emphasized: above all, the new system of proof and the *ex-officio* initiative of the judge. As we shall see, despite its undisguised goal of defending community values and interests, faced with a new social and economic reality the main goal of this legal system was to find different and more certain ways to manage conflicts that often involved highly influential urban social and kin groups. The customary rules that governed the feud system were partly absorbed into the new Roman – canon procedures. This was true both on the purely formal level and in some cases (such as the inclusion of agreements and acts of peace) in the determination of outcomes. Obviously, many of these rules lost their original character as they adapted to the new political and economic reality.

In short, the new hegemonic justice reflected a political and constitutional system that was deeply imbued both with urban community values and with an ideology of kinship closely tied to status and the idiom of honour. In its underlying logic, this justice joined the older early medieval tradition with the cultural and political need to deal incisively with the problems and tensions characteristic of a more complex and stratified society, one that required new forms of social control. In any case, it was a form of justice whose cultural and ideological features and whose territorial context expressed in primis the values of the community, its ruling class, and the economic and political relations that linked the city to its surrounding territory. Undoubtedly, it could be manipulated for political purposes, or could become an incisive instrument of social control over the poorer classes. At the same time, it never lost sight of its main purpose, which was to guarantee a balanced management of the conflicts that opposed groups and lineages.

The second part of this essay deals with the transformations that took place in the majority of European countries from the 16th century on, with the introduction of authentically inquisitorial procedures, the effort to control banditry, and the widespread affirmation of strict punitive justice. These were the novelties that first weakened and then neutralized the feud system. Nonetheless, this system still showed up frequently both in the form of bloody episodes of violence, and far more discreetly and commonly in the courtroom. There it met procedures highly sensitive to the need to channel it towards peaceful resolutions. Whenever research has examined judiciary practice in various courts, it has been possible to identify diverse levels of justice existing over the course of the modern age. These were characterized either by procedures in which the conflicting parties were es-

sentially excluded from active management of the trial, or on the contrary others that still allowed quite wide margins of discretionary power. But after the late 17th century the trial rites that prevailed were on the whole distinguished by the predominance of a form of justice which, though not denying the defendant adequate possibilities for his/her defence, put the role of the victim on the sideline and shifted the centre of gravity of proceedings towards the initial phase of the trial, which was directed by a fully autonomous judge. The form of trial that became prevalent was characterized by a genuine inquiry conducted by a judge, by close questioning and, above all, by the exclusion of any possible interference from the conflicting parties in the initial phase of proceedings. The feud system, considered chiefly as a manifestation of custom and a reflection of deeply rooted social conflicts of class and kinship, was weakened or in any case forced to accept the new rules imposed by the criminal trial and, consequently, to lose some of its distinctive features.

Still, the vendetta has maintained strong symbolic and emotive connotations to our day. This is not only or mainly because it is continually the focus of an animated discussion centring on the characteristics and goals of criminal justice, but rather because literature and cinema, though often from contrasting angles and with differing interpretive insight, have paid great attention to it. In this context, we need only think of the important explications of Clint Eastwood's *The Unforgiven* made by two highly qualified American scholars, in which vendetta is the heart of stories that are a key to the role of the narrators, stories aimed at revealing the symbolic dimension of an irrepressible emotional drive.[2]

In consideration of the specific purpose of this essay, we have deliberately avoided using a number of judiciary cases, as this would have made it much longer. Rather, we have preferred to refer to the existing bibliography on the subject. Still, though it presents numerous examples, this bibliography does not always permit an in-depth analysis of the hypotheses underlying our study. Nor does it always provide a consistent picture of the chronological and geographical development of the long, complex socio-political phenomenon that put the cultural system of the feud in relation to the development of institutions and judiciary procedures in the diverse countries of Italy and Europe.[3]

2 Ian Miller deals with the theme of vendetta in its legal and social dimensions by examining its representations in cinema, where it is often considered as a sort of integration to the inefficiency of the law. As regards *The Unforgiven*, he comments: "The usual evolutionary story we tell ourselves is that revenge gives way to law and is inconsistent with it. Popular culture sees revenge as a necessary supplement to law, and it might well be that popular culture is not wrong as a matter of legal history and social theory" (Miller, 1998, 201). Austin Sarat has also examined the various narrations of vendetta in the films of Eastwood, focusing particularly on their relation to memory (Sarat, 2002, 236–259).

3 The complexity of this theme is still reflected in our day in the lively discussion about the function of the penalty (punitive, rehabilitative or reparative) and the role of the victim. A concise but effective examination, above all as regards the death penalty, has been made by Eva Cantarella (2007). This theme is particularly meaningful in the United States, where tensions have focused on the different concepts of *retributive* and *restorative justice*. These are concepts that at times tend to be interpreted in the light of contradictory social instances taken out of their specific historical origin. As has been observed, "increasingly, retributive justice is used not just as a synonym for punishment generally, but in the hands of critics, as a type of shorthand for all the numerous faults and failings of punishment practices. To many, 'retributive justice' is a dirty word, not a theory of punishment. The original meaning of retributive justice is further obscured by the tendency to use the terms 'vengeance', 'revenge' and 'retaliation'. On the contrary, "restorative justice

Another deliberate choice has been to avoid describing the frequent outbreaks of violence that characterized the medieval and modern ages. For though these were the most visible expressions of the feud system, they were perhaps not the most significant ones. In fact, the system was marked by peace pacts, and even more frequently by the interfering recourse to trial rites that had been created by a society deeply imbued with the values of honour and status.

Finally, this essay aims simply to present the fundamental lines of the long, complex course that led the feud system to be absorbed and metabolized into a sphere of judiciary procedures that deeply influenced its later developments,[4] even if it did not decisively eliminate latent social and cultural tensions between the needs of the victim and those of the existing political systems.[5]

FEUD AND VENDETTA: A PROBLEM OF DEFINITION AND COMPARISON

In conclusion to his in-depth Introduction to the volume Feud in Medieval and Early Modern Europe Jeppe Büchert Netterstrøm remarked that:

---

advocates have consistently challenged the conventional wisdom that justice before the emergence of the nation-state was vengeful and barbaric, arguing that this overlooks numerous examples where informal processes were characterized by an emphasis on negotiation and compensation" (Roche, 2007, 78–81). On the close and surprising connection between justice and *vendetta* found today in the United States, see Terry K. Aladjem's introduction to his *The Culture of Vengeance and the Fate of American Justice* (Aladjem, 2008, XI–XVII). It seems clear that in centuries when the feud system was active, the dialectic between the different purposes of justice was measured essentially by the role of the conflicting parties and their social standing, taken both in the context of custom and of trial rites.

4 Following suggestions coming from anthropology, in recent years a noteworthy series of studies has come out about feud understood as a set of conflicts and practices able to interact actively both with local institutions and with external *super-community* ones. This approach has allowed us to appreciate important aspects of conflict and its strategies that have clear political features. Some significant examples regarding the Italian context are: Raggio, 1990; Lepori, 2010. On Corsica: Wilson, 1988. In these works there is a clear focus on judiciary activities coming from the outside, or on attempts by the political authority to enter the dynamics of conflicts with various forms of pacification. As Wilson observes in his conclusions: "It is true as a very general proposition that feuding is in the end incompatible with 'modernization' and the development of the State, or even 'that the higher the level of political complexity in a society, the less frequently feuding is found'. But the process by which one form of justice is replaced by another is itself complex and goes through a number of stages that are not irreversible. The two systems may exist side by side without interaction. Then, rulers or governments, unable or unwilling to ban feuding, may intervene to encourage settlements within the feuding, since it undermines the traditional controls on the old system of sanctions before supplying an effective replacement" (Wilson, 1988, 417). In reality, in European societies the interconnections between feud and justice can been understood in all their complexity and transformations by exploring trial rites and their capacity to absorb or neutralize customary practices. In this context, see the outstanding pioneering work of Pigliaru, 1959. In recent years, research on the administration of justice and the criminal trial has grown, especially as regards the Middle Ages; in this essay we make use of some of the most significant studies. For the modern period, particular mention goes to Bellabarba (1996); the complete and in-depth study of Angelozzi, Casanova, 2008; and that of Covino, 2013, which I also refer to for fuller and more precise bibliographical references concerning the Italian context (Covino, 2013, 375–378). Essential for an overall view is the excellent synthesis provided by Bellabarba, 2008.

5 These problems are outlined in Povolo, 2004a, I–XIV.

A comprehensive history of European feuding still remains to be written. The problem of writing such a history would not only be a problem of synthesising a large literature on feuding in many different historical contexts over a very long period of time. It would also be a problem of dealing with a historiography which had assigned a great variety of meanings and definitions to what would be the central concepts of such a history (Netterstrøm, 2007, 66).[6]

Indeed, a vast historiographical literature has shown that the concept of feud has been examined not only with the use of substantially different terminological definitions, but also with reference to social, economic and institutional contexts that are sometimes hardly comparable, because of the heterogeneity and varying complexity of the sources used. In effect, while the interest of historians in feud comes from the stimulus given by anthropology,[7] there is no doubt that the phenomenon immediately called for an interdisciplinary approach, in which the historical dimension comes through the history of law, institutions and the economy.

In Germany, as Hillay Zmora reminds us in a recent work,[8] the discussion started from the famous test of Otto Brunner, Land and Lordship, which appeared in 1939. Since then it has been carried on by Gadi Algazi, Christine Reinle and by Zmora himself.[9] As seen by Brunner, the feud system took place in ritualized legal forms that envisaged a solemn challenge reserved to members of the aristocracy. Thus, it was a legal practice that distinguished itself from the simple bloodfeud (blutrache),[10] amounting to a real con-

6 The editors of this work have also examined the detailed description of feud formulated by Miller (Miller, 1992) and by Boehm (Boehm, 1984). In particular, Miller's analytic description seems to be the one applicable to numerous context, but it seems clear that it is above all the expression of a social system whose rules were eminently customary.

7 A point of reference common to studies on the feud has been the study of Gluckman, 1955, 1–14. In this essay, it is stressed that the feud system performed a function essential to the inner equilibrium of highly conflictual societies, both by serving as an authentic regulatory system of social control, and by performing the function of preventing inevitable feared reprisals. In truth, from the second half of the 20th century on the interest of historians in feud has generally speaking been directed to the largely unstudied anthropology of European society. This interest at first focused on a vast though vaguely defined area of the Mediterranean, but it was then quickly broadened to include the rest of the continent (Goddard, 1994, 57–92). It is worthwhile noting that the interest in the Mediterranean of English-language anthropology stirred considerable critical reaction, also on the part of certain anthropologists who saw in it a sort of un-avowed superiority towards a world that seemed still to conserve cultural values that had by then been surpassed, such as honour, kinship and feud. Actually, as was observed during the great conference dedicated to the Mediterranean and held in Aix-en-Provence in May 1997, "ces valeurs connaissent une accentuation singulière dans la plupart des sociétés méditerranéennes; elles y sont davantage explicitées; elles sont érigées, dans les taxinomies locales, au rang de concepts, avec leur cohorte de nuances et de métaphores récurrentes; elles font l'objet d'interminable débats au sein des sociétés qui les ont développées [...]. C'est en termes d'intensité et de modulation, de reconnaissance institutionnelle, et non de présence ou d'absence, que l'on doit apprécier la prégnance spécifique de ces valeurs" (Bromberg, Durand, 2001, 735–736). Significant for this type of approach, also in reference to feud, are the works of Anton Blok (especially 1975 and 2011).

8 Zmora, 2011, 1–28, with an introduction significantly entitled: *The Struggle over the Feud in Early Modern Germany.*

9 A detailed analysis of the historiographical discussion in Netterstrøm, 2007, 20–28.

10 Marco Bellabarba in particular has dwelled on Brunner's work in his *La giustizia ai confini*: Brunner's thesis

stitutional system. In a contribution that appeared some years ago in Past and Present, Howard Kaminsky claimed that this system could in a certain measure also be broadened to include France and England (Kaminsky, 2002), countries for which, in his judgment, the analysis of historians had been conditioned by an over-estimation of the role played by the state. This interpretation has been convincingly contested.[11] Studying the reality of German history, it was easy enough for Algazi to see feud as a practice of class domination and control exercised by the nobility, and thereby bring to light a certain ideological slant underlying Brunner's vision. By contrast Christine Reinle, while reasserting the legitimacy of this cultural practice and its ties with honour, held that it was not the exclusive monopoly of the privileged classes (Netterstrøm, 2007, 24–27). And finally, Hillay Zmora in his latest contribution sums up the complex historiographical debate that went on in Germany and goes on to propose an interpretation that seems inclined to accept an essentially political vision of the aristocratic feud.[12]

Thus, interpretations of the feud in Germany from medieval to modern times emphasize the customary aspects[13] of a social practice that has clear legal and political dimen-

revolves around "a right felt by men to be good and old, like wise custom accepted simply as an earthly image of an ideal of justice [...]. This idea of law also informs the actions of feud, judged to be legitimate if declared in order to defend the laws of the territory and, on the contrary, repudiated when under the aspect of vendetta it is distorted to become a means of individual protection" (Bellabarba, 1996, 18–19). However, the author underscores certain ambiguities that underlie the Austrian historian's thesis: "Bruner's isolation of the chivalric feud from the *Blutrache*, 'bloodfeuds' that broke out in rural or urban environments and were therefore illegal in that they violated the exclusively aristocratic right to bear weapons, would seem to ignore the texts of German statutory rubrics which, well into the 16th century, define at length the legal profiles of a phenomenon not at all marginal in the disputes among council factions and which was a source of distraught comments on the irrepressible disorder of urban politics" (Bellabarba, 1996, 28–29). As we shall see for the late Middle Ages, this ambiguity came to the fore because the aristocratic right to feud, understood as a solemn challenge (and reserved to the nobility), can be grasped in all its complexity only in the context of trial rites for the resolution of conflicts (and therefore of feud understood in its broadest anthropological meaning), above all following the refusal of an oath made by one of the parties.

11 In his work on the feud system in France in the modern period, Stuart Carroll observes that "in many cases the German word *Fehde* could be translated by generic words such as dispute or war, especially in regards to conflicts between towns and nobles and between parties of vastly different social status, that are difficult to square with anthropological analysis" (Carroll, 2006, 6).

12 "These relationships, involving both cooperation and conflict, provided a set of powerful incentives to engage in feuding. They informed a set of beliefs, preferences and motivations that, in many cases, drove nobles to feud as the best available strategy for protecting and promoting their interests" (Zmora, 2011, 27). As Stuart Carroll has noted, "Zmora wishes to restore the role of the state, stressing the relative neglect of feuds between princes and nobles, which he argues were as important as feuds between nobles. Not only was feuding widely seen as legitimate, it served as a tool of state-building" (Carroll, 2012).

13 In the sense we speak about later on. As Marco Bellabarba has rightly stressed in comparing Brunner's theses to those formulated by Raymond Verdier, which are based on the values of blood and honour, "The unwritten criteria of honour, like the uncodified ancient norms of the *Landrecht,* are also close in denying real validity to the contents and techniques of the law; the pairs 'peace and feud' – 'revenge and punishment' dictate attitudes and sensibilities, solve conflicts and lacerations regardless of the existence of legal institutions and the relationships of authority they create. Unmasked irritation with a theoretical notion of law, which becomes an arid list of formulas and procedures, leads these authors to stress the weight of widespread rules supported by feelings of class loyalty and amity, by family devotion or by respect for the customs of a territory" (Bellabarba, 1996, 31–32).

sions, while still being connected to an anthropological vision of conflict, as in other European contexts. However, this interpretation still leaves wide margins of ambiguity, since conflicts and contrasts seem to take place in the absence of judicial procedures and rites which in reality interacted profoundly with the dynamics of feud.[14]

Likewise, the debate about feud and vendetta in Italy in medieval and modern times was certainly neither clear nor linear. Here the debate revolves mainly around the works of Edward Muir and Trevor Dean (Muir, 1993; Dean, 2007). Jeppe B. Netterstrøm and Helgi Porláksson have effectively summed up this long-standing Italian historiographical debate (Netterstrøm, 2007, 29–40; Porláksson, 2007, 78–80),[15] following a line of interpretation with some points in common, but also with methods that are notably different in their approach to the sources examined.[16] Netterstøm rightly observes that the concept of feud has been applied more widely than that of vendetta, which seems instead "to be more specific to Mediterranean, Southern European and Middle Eastern contexts." In these contexts the term vendetta is often used as a synonym of feud. But he goes on to say:

> *The word vendetta tends to have a more singular meaning of vengeance. In comparison, it is possible to interpret the word feud, on the one hand, as a broader category (enmity, contention, quarrel) than vendetta and, on the other hand, as an even more specific (but sequentially more prolonged) form of vengeance than vendetta, namely as an extended chain of revenge actions, when 'vendetta' is taken to signify either a single act of revenge or revenge as a more abstract concept (Netterstrøm, 2007, 38–39).*

A superimposition of meanings, therefore, that would seem to make comparison with studies regarding other European realities more difficult. And, referring to Trevor Dean's studies of late medieval Italy and those of Edward Muir on 16th-century Friuli, the editor of the volume *Feud in Medieval and Early Modern Europe* notes that the term vendetta is used to cover very different cultural practices. For Dean, in fact, the term vendetta indicates a "vengeance of limited extent for specific injury, whereas 'feud' was a state of continuous animosity" (Netterstrøm, 2007, 40).[17] Whereas Edward Muir is inclined to consider the vendetta as a synonym of feud, that is, a phenomenon that expresses not only the act of violent reprisal but also a prolonged system of conflict (Netterstrøm, 2007, 30). Such terminological distinctions in reality imply notably diverse interpretative evaluations.[18] For if feud and vendetta are generally understood as two different cultural and

---

14 As Stuart Carroll has to say, "Germans, like all other Europeans, craved legal redress and demanded greater access to the law courts, the consequence of which was an unprecedented boom in litigation during the sixteenth century. This put a stop to the *Fedhe*, but it did not put an end to 'inimical intimacy'" (Carroll, 2012).

15 On Muir's work and on that of O. Raggio, already mentioned, see Smail, 1996a. Obviously, the discussion suffers from the scarce attention to the bibliography in Italian.

16 In order of appearance, and so following a thread of reflection which, despite the various periods examined, has been chosen in light of the specific disciplinary approaches: Povolo, 1997, 158–227; Zorzi, 2002; Gentile, 2007; Zorzi, 2008, 163–178; also the summary, already mentioned, by Marco Bellabarba.

17 Besides the above-mentioned work by Dean, see also Dean, 1997.

18 I should add that Edward Muir is aware of what Julian Pitt-Rivers had previously affirmed about the comparison of words belonging to different cultures: "Language relates to culture we would all admit,

social processes, in the sense that the former does not necessarily include the latter, on the contrary there are not many who would give the term vendetta the wider meaning of feud, accepting only its aspects of violent reprisal.[19]

In realty the superimposition of the two terms finds justification in certain contexts of Mediterranean Europe, and in particular in much of the centre-north of the Italian peninsula, which in medieval and modern times was pervaded with an intense conception of honour centring on status and distinction. And even though in more than one instance the term vendetta seems to indicate a single act of violent retaliation against an individual or group, it always refers conceptually to a feud system with complicated rules,[20] in which the dimension of honour is central to both the identification of the adversary and the dynamics that drive the conflict.[21] In a highly hierarchical society, the language of honour marked out not only the spaces of conflict, but also the outcomes of ongoing feuds. As Julian Pitt-Rivers has remarked:

The claim to excellence is relative. It is always implicitly the claim to excel over others. Hence honour is the basis of precedence [...]. Where there is a hierarchy of honour, the person who submits to precedence of others recognizes his inferior status. He is dishonoured in the sense that he has disavowed his claim to the higher status to which he aspired (Pitt-Rivers, 1966, 23–24).

Thus, honour involved competition among all social classes, and the person who came out the winner of the conflict took possession of the reputation previously enjoyed by the defeated person. The dimension of honour was closely connected to that of power, and where the nobility held both political and economic supremacy it tended to monopolize the judicial and customary dynamics of the feud. Inevitably, conflicts over the management of power and resources were far more heated among the privileged classes, and possible recourse to violence often became inevitable:

---

but it is not identical with it, and to equate the two is merely to shirk the real problem of translation, for language places limitations on what can be said but it does not tell its speakers what to say; the problem of translation is not 'just a matter of words'" (Pitt-Rivers, 1977, xi).

19 Helgi Porláksson writes: "I take for granted that many people find it difficult to imagine feuds without any corpses, or not even shedding of human blood. I have made a distinction above between a feud and a bloodfeud, a bloodfeud beginning when, after some escalation, men are being hurt or killed by their opponents. Feud in the broader sense is about claiming rights and is characterised by action in turns and escalation when claims were rejected. It is not the same as *Blutrache* which usually involves two killings, one in revenge. However the feud can turn into *Blutrache* and the word 'feuding' can comprise meanings. Thus *Blutrache* or customary vengeance is feuding in the more narrow sense and often the final stage of a feud". (Porláksson, 2007, 85–86). In the 16th-century society studied by Edwuard Muir, the word *vendetta* evokes the feud system, of which it is a significant expression. We might add that *vendetta*, in the common sense of the term, could not have been used outside of a genuine feud system.

20 In this connection, see the observation of Bellabarba, 1996, 31.

21 Besides Povolo, 1997, 266–333 see also Schwerhoff, 2004. As has been significantly stated by Marco Bellabarba "A careful staging of complicity regulates the course of feuds: revenge is not indiscriminate, and a challenge is not accepted unless the social distance does not create embarrassment between the adversaries" (Bellabarba, 2008, 105).

Therefore, the act of resentment is the touchstone of honour, for a physical affront is a dishonour, regardless of the moral issues involved, and creates a situation in which the honour of the affronted person is in jeopardy and requires 'satisfaction' if it is to return to its normal condition. This satisfaction may be acquired through an apology which is a verbal act of self-humiliation or it may require, and if the apology is not forthcoming does require, avenging (Pitt-Rivers, 1966, 26).

FEUD, VENDETTA AND FORMS OF POWER

The notion of vendetta was therefore inseparable from feud and the notion of honour that underlay it. Obviously, all this did not prevent tensions both with medieval and modern morality (Dean, 1997, 31–34),[22] or with the need to organize the containment of violence by relying on forms of composition and on judicial procedures that can be considered an integral part of the feud itself.

The specificity of the features encountered in the Germanic and Italian territories, respectively, as well as the differences that distinguish them internally can obviously be explained in light of the diverse historiographical approaches used to study the medieval and modern feud. Undoubtedly, as some scholars have observed, the cultural and political conformation of Europe was all but homogeneous. In certain areas of southern Europe there can indeed be found a stronger presence of lineage, understood as extended family unit as concerns family and social relationships.[23] This presence was widespread at various social levels,[24] though obviously it was in the sphere of the aristocracy that it took on political importance. It is likely that the mixture of the ideology of kinship and political power which found its highest expression in the city and in the idea of *res publica*,[25] exalted a conception of honour tied to status and the right of precedence.[26] The prerogatives

---

22 For a later period, see Povolo, 1997, 293–301.

23 "Virtue, honour and 'honours', in the sense of titles and lands, were three pillars on which old regimes rested [...] Anthropologists working on Mediterranean peasant societies at the present day have tended to see status as a function of 'political' considerations (in the broad sense). It is not that wealth is not important to social stratification: it is very clearly is. But money needs to be channelled into socially acceptable ways. The wealthy must, as it were, 'purchase' consideration by the prominent public role which they adopt, involving the 'protection' of the less fortunate" (Casey, 1989, 19–20).

24 Black, 2001, 107–128: "We can usefully distinguish between (a) 'family': the nuclear or conjugal group of parents and children whether married or not; (b) 'lineage': a kin group of blood relations who recognise their relationship, but without clear and accurate knowledge of the precise relationship, lost way back in the family tree. The extent to which this extension was recognised and played a role in family strategies, economic arrangements and political ploys was again variable. Kinship factors were not only important for patricians and noble families, when much might be at stake financially and politically, but also for some peasant families, with smallholdings who used kinship relationships in planning marriages that would help keep properties together" (Black, 2001, 110).

25 As Angela De Benedictis maintained, this ideology carried in the sphere of the urban ruling class an idea of *equality*, in terms of rights and duties, that did not contradict the diverse levels of wealth or political influence, and which found in the sphere of participation in the institutional life of the city one of its most important expressions (De Benedictis, 2001, 384).

26 On this subject, also for a more ample bibliography, I refer to Povolo, 2009.

of power and the relations of friendship,[27] spread by the nobility to the rest of society, are aspects whose intensity distinguish southern Europe on the whole, or at least certain areas where political power was fragmentary:

> *By translating the ideal of beneficence into the reality of behaviour we can see that it implies a concern in acquisition, on the one hand, with a view to gaining honour through disposing generously of that which has been acquired, on the other. To give a thing away one must first of all get hold of it. The same concern in acquiring honour, through the act of beneficence rather than, as in Anglo-Saxon countries, through the fact of possession, explain these extreme views. For Mediterranean honour derives from the domination of persons rather than things.*[28]

Thus, in some areas of southern Europe there were close relations between the prominent position enjoyed by the aristocracy and the idiom of honour through which its prestige and role in society were sanctioned. And it is above all in aristocratic society that we

27 A term that historians and anthropologists have better defined as *patronage*. On this important aspect, which clearly had strong repercussions on the management of feud, see Aymard, 1987. This question has been more fully treated concerning France by Dewald (1993, in particular 104 and ff). For England: Stone, 1977. As Dewald observes, "Through the seventeenth century, writers commonly used the term 'friend' to refer to protectors and patrons, this was friendship not as intimacy but as a means of organizing political and social life (Dewald, 1993, 106). This was a decisive aspect of the society of the ancien régime, and in recent years it has been treated in numerous studies. Examples are: Tadmor, 2004; Gowing, Hunter, Rubin, 2005, in particular the chapter by N. Tadmor, which explores the tie between neighbour and friendship relations in early modern England (Tadmor, 2004, 150–176); a general synthesis is found in Österberg, 2010. This author, who focuses for a long period on diaries and autobiographies, remarks: "In the Middle Age and the sixteenth and seventeenth centuries, the language and gestures of friendship were also employed in unequal relationships: between old and young, regent and courtier, and so on. The dividing line with what perhaps ought to be termed patron-client relationships was often indistinct. Patron-client relationships are meant to incline towards the informal, personal, and reciprocal, and, with a bit of luck, equal besides". Later, however, "broadly speaking, friendship, like love between adults, came increasingly to inhabit the private sphere according to the discourses of the nineteenth and twentieth centuries" (Österberg, 2010, 190–192). It should be added that in a republican political context, relations of friendship and *patronage* were very complicated at both the institutional level and at the more informal one. Cfr. what was observed at the time in Povolo, 1997, in particular 180–190 and in Povolo, 2009.

28 Pitt-Rivers' penetrating observation obviously is linked to the religious dimension and the cult of saints, which determined a large gap between Catholic and reformed Europe (Pitt-Rivers, 1977, 36). This is a significant question, for which I refer particularly, concerning some important aspects, to some recent studies: Cameron, 2010; Shell, 2007. Pitt-Rivers' thesis about honour and more generally his equalitarian conception of the rural world were contested by John Davis (1977). But the complexity of Pitt-Rivers's interpretative work shows up in all its relevance in the previously mentioned collection of essays, *The Fate of Shechem* (1977), which opens with the pages dedicated to *The Anthropology of Honour*, in which Italian 16th-century society is egregiously investigated along the lines of F.R. Bryson's, *The Point of Honour in Sixteenth Century Italy: an Aspect of the Life of a Gentleman*, published in Chicago in 1935. Pitt-Rivers' pages significantly resume his prior *Honour and Social Status*, published in 1966, but in a manner that is autonomous respect to the analysis dedicated to the Andalusian community of Grazalema, to which a chapter was dedicated (*Honour and Social Status in Andalusia*).

can see the activity of the genuine networks that could interfere significantly both inside and outside of the political context where they originated.[29]

Actually, it is possible to fully understand the close links between feud and organizations of family and kin groups only by analysing the specificity of medieval and early modern political organization. Over this long period of time, the stratification of law covering various European countries, while not homogeneous, would seem to suggest the existence of social structures quite similar to what anthropologists have defined as semi-complex. In these structures political power is substantially separate from that of kin groups, even though the latter are still strong enough to make their interference felt in political life (Rouland, 1992, 190–191). At the same time, the legal dimension includes both myth and custom and a well-defined formal level centring on abstract, written rules.[30] All three of these aspects can be found, for example, in the system of ius commune, which spread to most of medieval and modern Europe.[31] As we shall see, the ius commune em-

29 Charles Tilly defined these as *trust groups*: "How will we recognize a trust network when we encounter or enter one? First, we will notice a number of people who are connected, directly or indirectly, by similar ties; they form a network. Second, we will see that the sheer existence of such a tie gives one member significant claims on the attention or aid of another; the network consists of strong ties. Third, we will discover that members of the network are collectively carrying on major long-term enterprises such as procreation, long distance trade, workers' mutual aid or practice of an underground religion. Finally, we will learn that the configuration of ties within the network sets the collective enterprise at risk to the malfeasance, mistakes, and failures of individual members [...] The quality of public politics in one regime or another depends significantly on relations between people's basic trust network and rulers' strategies of rule". The forms of integrations of the various trust networks are decisive in the political sphere: "Integration of trust networks into public politics varies from indirect to direct. *Indirect* integration occurs when trust networks extend into politically engaged actors such a local organisations, churches, or labor unions that in turn bargain with each other and with governments over the allocation of politically mediated costs and benefits. *Direct* integration occurs when trust networks extend into government itself, for example through the incorporation of kin group members into national armed forces, establishment of state churches exercising monopolies over political participation, or government creation of social security systems tying the futures of workers to governmental performance and the reliability of government employed providers of services" (Tilly, 2005, 4–7). In medieval and early modern society, the close mingling of political power and kin groups is visible in many Italian cities.

30 Abstraction is implicit in writing. As Jack Goody has observed, written culture is endowed with a high capacity for abstraction and a different control over time and things. "In oral cultures learning is inevitably a more contextualized process, taking place on the job rather than in special setting. Verbal accounts of acts and beliefs are little used compared with what happens in their written equivalents in literate cultures; there the medium in any case permits a more abstract, more generalized, more analytical approach. Oral learning entails a greater account of showing, of participation" (Goody, 2000, 24). The introduction of Roman law inevitably also led to the use of forms of legal reasoning with premises and conclusions that generally served to justify judicial decisions. As noted by Lawrence Friedman, differently from customary systems, where judges draw on custom and common sense in so-called *closed* systems "those who have to decide believe they must base their 'legal' premises; that is, they divide the universe of propositions into two categories, of which one is that of 'legal propositions', which – uniquely – can legitimately function as premises for juridical reasoning", cf. Friedman, 1987, 392–393. See also the observations of Berman in the following note.

31 Concerning the towns, which starting from the 12th century characterized the European political and social dimension, Harold Berman has noted: "The capacity of urban law for growth and its tendency toward growth were connected with its character as a legal system, which was also partly inspired by the systematic character of both Roman law and canon law. Especially in the Italian cities, but to a lesser degree elsewhere

bodied in its formulations and procedures a legal system directed at limiting violence and maintaining peace. It was a legal system rooted above all in the cities of Europe, which considered themselves authentic political entities, separate from ecclesiastical power:

> *Their tasks of maintaining peace and justice were independent of the tasks of the church in maintaining the Christian faith. And those independent tasks of maintaining peace and justice were themselves taken to be, though temporal, nevertheless ordained by God, worthy of unstinted devotion, and an important part of God's plan of salvation for mankind (Berman, 1983, 394).*

A decisive influence on the characteristics, development and intensity of the feud was the political and institutional structure framing the dimension of conflict. This dimension can be comprehended in the times and the ways in which the ius commune was received,[32] as well as in the concrete judicial practice that spread and legitimated it. While in many parts of Europe new monarchical territorial entities were formed, in the 13th-14th centuries in central-north Italy the cities acquired wide margins of political autonomy.[33] This autonomy significantly expressed the great economic and demographical expansion that took place in the 14th century, despite the fact that most European areas were still rural (Leguay, 2000, 103–104).

Thus, mythical, customary and formal-juridical aspects interacted in the political life of European cities, which was very soon monopolized by groups and families in continual conflict over the management of power. This new elite comprised bankers, merchants, lawyers and notaries, though representatives of the so-called popolo grasso also set themselves at the head of town councils (Leguay, 2000, 118–120).

FEUD BETWEEN CUSTOM AND TRIAL RITES

Both medieval and legal historians have stressed the importance of the new system of criminal justice that established itself almost all over Europe, as well as on the role of universities and jurists in the spread of common law.[34] As has been claimed, this was

---

as well, urban laws was considered to be based, in the first instance, on custom (*mos, consuetudo, usus*), and in the second place, on rules enacted by rulemaking authorities, which were in turn divided into ordinances (*statuta*) of guilds and other associations and laws (*leges*) of the city legislative authority or of the king or emperor. Statuta and leges had the quality of being written, which gave them a special significance" (Berman, 1983, 397).

32 As it is possible to see in regards to Germany and Scotland.

33 "At no point was it possible to disregard the models transmitted by the Roman law of the glossators which, having crossed the Alps at the end of the twelfth century, dominated all the thought of the great continental jurists in the following century [...] Then began a threefold evolution which dominated the reorganisation of the states of the west. The empire did not disappear, but it fragmented while the national monarchies triumphed a little everywhere, except in the Italian peninsula where the city-states secured their success to varying degrees" (Rigaudière, 2000, 18–21).

34 As has been underscored by Manlio Bellomo, the system of law that took shape found its legitimization in the idea of empire, but the *ius commune* also accommodated local legal and customary systems (*iura*

a genuinely epochal revolution, whose influence can still be seen today in values and ideologies linked to the administration of justice. The phenomenon began to take on its characteristic features concretely in the late 12th century, with the adoption of Roman – canon law procedure. Very soon a bureaucracy grew up, made of judges, lawyers, notaries and court clerks, with the result that laymen were gradually excluded. The new procedure wase complicated, comprising various phases that took place both orally and in writing (*ordo iudiciarius*) (Brundage, 2008, 151–163). The role of the judge (*officium iudicis*) clearly indicated the separation of the person from the power exercised. However, both the Church and secular authorities felt the need for more incisive procedures in order to intervene in the autonomous organization of local conflicts. And so, very soon a new investigative procedure took shape, one promoted and controlled by the court (processum per inquisitionem) and entrusted to the initiative of the judge.[35]

This doubtlessly represented a profound transformation in the management of conflict and the implementation of social control. According to many scholars, albeit with considerable adjustments and modifications it continued to have an important influence in the centuries that followed. However, it is possible to consider the full reach of this transformation only by comparing it with the customary system of previous centuries. This system encompassed a complex regulation of conflicts and a highly sophisticated system of proofs. Despite its presumed irrationality, in the context of changing social and political realities it was a significant expression of prevailing cultural values.[36]

Raoul Van Caenegem has well summed up the system:

> *The means of proof were mainly irrational.[37] Justice employed divine and supernatural powers, as in the case of judicial duels and other ordeals, as well as in the oaths made by one party and its supporters. Rational proof, using documents and witnesses, was not excluded, but proof through the cross-examination of witnesses for both parties was not developed and was highly formalistic. When witnesses of the two parties refused to renew their testimony and consequently the judges found themselves in a*

---

propria). This system was able to represent both the instances of the Church and those of secular political entities, in particular the towns. It was a juridical order that weathered almost without harm the political transformations of the modern age, still influencing public politics in the 19th century. The medieval legal system, in fact, offered an exceptional synthesis for the complex political reality of the period, merging the two concepts of pluralism and universalism. It was a system that created a universalistic Christian cultural unity, and it was indissolubly tied to the idea of Europe as a cultural and spiritual phenomenon (Bellomo, 1995, in particular 55–78).

35 These themes have been fully treated in a comparative and historical key in Damaška, 1986.

36 "The most infamous form of dispute was undoubtedly the feud or blood feud. This was common in both continental and insular Europe, and had been described by the first-century Roman author Tacitus in his Germania. The feud can be defined as a conflict or series of conflicts between individuals or groups – resolved either through private vengeance or by means of the payment of compensation for the initial offence, which in many cases was an homicide. The killing of the slayer by the kinsmen of the victim should not necessarily be regarded as being symptomatic of a lawless society, though the payment of compensation was presumably a more socially acceptable means of resolution" (Thornton, 2009, 100).

37 As can be easily understood, this definition is inappropriate, or at any rate does not fully reflect the whole of a complex procedure whose goal was essentially to maintain social control.

> *blind alley, the duel was the only way out. In no case did judges effect a critical confrontation of the parties or of witnesses that might have revealed a contradiction (Van Caenegem, 1995, 47–48).*

The probative system of the ordeal, which reached its high point during the Carolingian period and was definitively challenged with the fourth Lateran Council in 1215 (Taruffo, 2009, 3–4), was for a long time considered the most significant expression of a society that entrusted itself to the supernatural world in the search for truth, contrary to the subsequent modern recourse to testimony. In truth, as has been noted:

> *This antithesis was simply not important in many places and at many times during the Middle Ages, since medieval man was quite comfortable both with this reason and with the belief that God could intervene directly in human problems. The coexistence of both rational and irrational means of proof shows that medieval courts certainly embraced facts that could be established without divine intervention. Indeed, they turned to the ordeal, certainly the most dramatic of the so-called irrational proofs, only in special circumstances. We must, therefore, see the ordeal as part of a wide range of options for establishing truth and reaching a settlement (Ziegler, 2004, 2).*

Underlying the cultural misunderstanding that began in the 18th century regarding the medieval world, its forms of justice and search for truth, there was a far deeper antithesis: one which opposed a customary world characterized chiefly by orality and the mingling of legal and social facts[38] with the world that prevailed afterwards, based mainly on written law as interpreted by an order of professionals. As was shown years ago by Rebecca V. Colman:

> *Early medieval social structures were at the same time simpler and more complex than our own [...]. In medieval villages wise men concerned themselves with social problems; distinctions and definitions came slowly as needed. The legal notion of evidence, for example, barely began to be clarified before the central Middle Ages, and in royal courts of England, as doubtless elsewhere, there was still much confusion between fact and law in the twelfth and thirteenth centuries (Colman, 1974, 580).*

Justice by ordeal, which comprised both the legal duel and other proofs like those by water or by fire, was culturally and functionally rational: it was part of the Germanic model of process, characterized by a confrontation between the parties in which the judge was

38 In the customary world, as Norbert Rouland has clearly shown, "the legal rule takes on religious or moral norms and it operates in various sectors, from the economy to politics. Yet it differs from them, because while legal facts are social fact, not all social facts are legal ones: the legal fact is the object of a specific social control, of an institutional type [...]; only the institutions that take on the function of reproduction of social life are legal facts, being the ones that a society considers essential to its cohesion and personality" (Rouland, 1992, 145).

called upon only to decide which sort of proof should decide the controversy (Taruffo, 2009, 6–7).[39] But this confrontation took place primarily through the presentation of witnesses and documents and was borne out by the solemn proof of an oath referring directly to the supernatural world. If this proof was considered insufficient by the opposite party, the path towards a solemn declaration of feud was opened (Ziegler, 2004, 2–3).[40]

Thus, the solemn oath was held to be genuine proof by ordeal and the extremely important role it played was very different from our current-day oath, which is always subject to court verification:

> *If the oath were sworn, then the judge was bound by it and was forced to end the legal dispute. The swearer became his own judge and gave his own verdict. Not the verifiable fact, but the oath was the truth. As in the case of documents and seals, the truth resided in the properly performed oath [...] Faced with an accusation for which an oath constituted proof, the individual could take the oath alone, or he could offer compurgators; the determining factors were the crime and the status of the defendant (Ziegler, 2004, 2–3).*[41]

A contested oath could open the way to the ordeal of judicial duel, above all in the case of atrocious acts or crimes whose peculiar nature prevented recourse to compurgators. In a certain sense, ordeal could be considered a sort of control or containment of feud.[42] Thus, judiciary and trial practice in the early Middle Ages clearly reveals its close connections with the feud system and the cultural and customary values that legitimized

39 Even during the Carolingian period, when it is obviously possible to find a decidedly stronger authority, conflicts by fuel underwent little limitation. As has been noted in a study dedicated to the Valley of the Rhine in the period 400–1000, “although disputes were articulated in term of personal claim and counterclaim, royal officials did, when necessary, step in. But kings and their officials made no attempt to define the patterns of legal interaction, or the conduct of disputes: they did not have a distinct coercitive agency with which they could impose their will. Rather, they worked through local forces to reinforce existing social norms [...]. Hence Carolingian legislation on the bloodfeud did not strike at the logic of reciprocal action per se, but gave official backing to the inevitable local forces for pacification and compromise” (Innes, 2000, 135).

40 For this reason, some early medieval scholars (see, for example, the position of Guy Halsall, below, note 49) have underscored the legal dimension of early medieval feud in alternative to the broader notion given it by anthropologists, which assumes a prolonged, latent conflict. As we have seen, for the Germanic area this distinction has profoundly engaged the historiographical debate.

41 See also Taruffo, 2009, 7, who states: “another widely used form was the oath made by a group of persons (usually called *coniuratores*) on behalf of one of the parties”. It seems clear that the collective oath could be determining in avoiding the solemn opening of a feud. The fact that outsiders, slaves or anyone whose reputation was not held to be worthy were excluded from the oath underscores the community nature of the judicial conflict. All of the *coniuratores* could be forced to undergo the ordeal of fire or water (Ziegler, 2004, 6). I refer to the works of Zigler and of Taruffo for a fuller bibliography on the theme of proofs in the early Middle Ages. As it is not possible to develop here the early medieval judiciary and probative system in all its complexity, I limit myself to outlining it so as to give as best as possible an indirect glimpse of some aspects of feud.

42 “In the course of the Middle Ages the boundaries between the battle as a legal procedure and the battle as a defense of personal honour became less clear” (Zigler, 2004, 8).

it, though obviously varying geographical and political contexts determined modifications and particularities.[43]

The primary object of the early medieval feud and its procedural implications was to keep the peace and maintain social equilibrium. This aspect has been underscored by Kiril Petkov in an interesting analysis dealing with the so-called kiss of peace, which in the early Middle Ages and in the following centuries marked rituals of pacification:

> *The kiss of peace had a role and functions that none of the other judicial instruments possessed [...]. Performing the rite, the individual and the group he or she stood for admitted that peace existed, not only as a period of nonviolence, spacing the intermittent line of feuds in the premodern societies, but as a legal category in its own right [...]. The ritual was also an acknowledgment of the rights of the 'other' party in the feud to request, receive, and enjoy that peace. Contrary to expectations, the rite stimulated the development of the concepts of objectivity and equity in the legal practices of non-Roman origins (Petkov, 2003, 128–129).*[44]

The social and political changes of the 13th and 14th centuries worked especially to modify the relations existing between customary and written law, both by imposing different models of social control and by establishing a judicial system based on means of proof centred on testimony, torture and confession. In this system the presence of the judge prevailed over that of the opposing parties, and took on a more active role than in past centuries.

In this connection a hegemonic form of justice has been spoken of, one which weakened "the role of social mediation in the solution of conflicts born of a crime, because it imposes the idea that there is no justice without the punishment of the culprit" (Sbriccoli,

43 The close connections between feud, kin groups and judicial rites has been shown for England and Ireland by David E. Thornton: "If methods such a distraint or the use of sureties failed to achieve a settlement, the parties could resort to independent judgement by a judge or court [...]. Such assemblies would appear to have been local public gatherings, involving legal experts who determined the final judgment and – like the later hundred-courts that replaced them – were held on or near boundaries, roads or rivers, or at places marked by stones or trees [...]. Such lawsuits could involve the use of witnesses, preferably independent eye-witnesses to a contract, and also compurgators or "oath-helpers" who would support the oath and pleadings given by the disputing parties but whose value as such depended on their respective status" (Thornton, 2009, 102). See more in general: Davies, Fouracre, 1986. The bibliography on feud in the centuries of the Early Middle Ages is very large: Smail, Gibson, 2009; Throop, Hyams, 2010; Tuten, White, Billado, 2010. A summary for France Rousseaux, 2006.

44 However, the author underscores the liminal state of this rite in the early Middle Ages, suspended as it is between the situation of truce and that of the closing of the feud. Its judicial use could channel the affair towards the latter solution: "The legal kiss created a normative, structural liminality [...]. The definitive end of the feud was not yet fully in sight, but open hostilities were suspended for a time, conditions to be fulfilled were carefully negotiated, and vengeance was held off. The obligation taken in the course of the ritual performance, whether active liability or passive duty, either specific or large and unspecified, was unstable, and new outbreak of violence could occur in spite of all ritual guarantees. It was legally actionable in court however, and although operating in a liminal field, paradoxically enough, channelled the affair into a more predictable course" (Petkov, 2003, 133).

2009, 8).[45] This thesis evidently assigned an important role to certain formal-judicial aspects that developed above all in the 13th–14th centuries. However, while on the one hand it underestimated already-existing similar forms of justice, on the other, as we shall see, it gave excessive importance to the relationship between political power and the administration of justice, which was in fact still profoundly characterized by the city-community dimension.

Similarly to Mario Sbriccoli, in their effective earlier summary of the history of criminality the British scholars, Geoffrey Parker and Bruce Lenman identified the late Middle Ages as the period when two distinct legal traditions began:

> *One [...] exalted restitutive justice and developed from the laws of the German tribes who invaded the Roman Empire; it will be called henceforth 'community law'. The other, to be called 'state law', emphasized punitive justice and was rooted, at least in part, in the legal system of that Empire and its Byzantine successors. The gradual displacement of the former by the latter, a process which began in the tenth century and lasted until the nineteenth century, was one of the central (yet most neglected) developments of European history, constituting a revolutionary change in legal methods and in the techniques of social control (Lenman, Parker, 1980, 23).*

This was a community legal system, therefore, based on peace pacts, feud and restitutive justice, but also inclined to use severe punishments against strangers and the lower classes and to assert the jurisdiction of the courts and personnel responsible for administering justice. However, it was a cultural system whose more traditional features included an initial general reluctance to resort to courts and a strong preference for punishing the criminal rather than the crime, but which in the end inevitably had to face the development of a form of justice with a decidedly punitive orientation.

These two scholars also state that the emergence of a state legal and judicial system was accompanied in continental Europe by reception of common law and its concrete use in the courts. The spread of the inquisitio from ecclesiastical to secular courts and the use of a new system of proofs (learned or legal proofs) intensified the punitive aspects of the administration of justice.

The two systems coexisted and interacted, though political and social factors worked to favour the prevalence of the state law, until it asserted itself completely in the 19th century. In the opinion of these two scholars, this long and difficult process clearly originated in the changes that took place in the 11th and 12th centuries as a consequence of the introduction of Roman canon law.

45 According to the author, this form of justice rapidly replaced alternative forms of *negotiated justice*, which was based on mediation and acts of peace. This thesis has also been generally accepted in the numerous contributions included in Bellabarba, Schwerhoff, Zorzi, 2010; and it has recently be repeated in Meccarelli, 2009, 79–80. In realty, as we shall see, we can speak of actual *hegemonic justice* only starting from the 16th century, at the moment when trial rites are separated from the social contexts they are imposed on, and are certainly not inclined to represent conflicts of feud. In fact, underscoring the *hegemonic* and punitive aspects of medieval justice sets it against the background of the decisive role it played in sustaining the customary system of feud.

The picture drawn by Lenman and Parker is of doubtless historiographical importance. It has had much influence on later studies, especially those concerning crime and social control. Though the portrait it painted was not without ambiguities,[46] its nuances, with its highlights and shadows, traced a very persuasive picture of the two systems being confronted. Actually, the connection between the rediscovery of Roman law and the emergence of state law did not seem totally convincing, nor did the substantial continuity of the latter from its weak beginning in the Middle Ages until its decisive prevalence in the 18th and 19th centuries.[47] The hegemonic justice that was established in centre-northern Italy during the Middle Ages had above all the goal of representing the feud in the legal sphere of the trial, in order to contain the bloody outcomes of conflicts between factions and family groups.[48] In the following centuries, this cultural and political process would also occur in distinctly different lands, such as Germany and Scotland, when the reception of the ius commune favoured mingling the customary practices involving feud with the judicial procedures elaborated by jurists.

The comparison between areas where customary practices that included feud prevailed with territories where from the 12th century on the ius commune was established, with its new instruments of social control, is of great interest, for it allows us to grasp the various meanings attributed to the practices of conflict. In a dense contribution dedicated

46 Criticisms of Lenman and Parker's theses were made some years ago by two Danish scholars, who focused their research on the Island of Falster and the town of Elsenore (Denmark), cf. Johansen, Stevnsborg, 1986.

47 The two scholars rightly underscored the complexity and diversification of Roman law in an area as politically divided as continental Europe: "The matter is complicated by the fact that the 'reception' involved at least three different processes: the application of the maxims of the law itself; the adoption of the trial procedure known as *Inquisition*; and the acceptance of the need to harmonize all other legal codes with these imported practices", (Johansen, Stevnsborg, 1986, 29). But it could seem paradoxical that they then go on to claim: "it was inevitable that these two legal systems should have come into conflict, at least outside Italy" (Johansen, Stevnsborg, 1986, 32), that is, in the country that was the first to record the reception of common law. In reality, it was precisely in Italy that the complex legal discourse known as *ius commune*, far from attesting the establishment of a form of justice that was the hegemonic expression of *state law*, favoured the continuance of the community legal system, with its innate vocation for arbitration and feud, while at the same time fostering the growth of new ruling class. In a summary of great historical importance, Antonio Padoa Schioppa has observed in this context: "It would, however, be a mistake to suppose that the Roman model worked only in favour of the power of the state. One of the reasons for the extraordinary success of Justinian's compilation in the history of European law is its ambiguity, or rather its polyvalence. The rights of the individual could find firm support in Roman rules about private property, or the power to dispose by will, or freedom in shaping contracts, on the rights of women or of minors (to confine ourselves to a few examples only). With the help of the *Corpus iuris*, such rights could be defended not only against other individuals but also against public authority", cf. Padoa Schioppa, 1997, 341.

48 It seems clear that the definition *hegemonic* of state justice refers first of all to the political-territorial dimension (no longer the community or the city, which also possessed a surrounding territory or a rural district) and to the imposition of a punitive logic that was largely extraneous to the interests and values of the urban ruling classes. As has been observed, "it is clear that the European state did not spring directly out of cities. The leagues between cities – like the Lombard League of the late twelfth century or the Hanseatic League – at certain stages in their history developed their own political and judicial institutions, but they did not turn into states. Often it was precisely those regions where the city constitution had reached its fullest expression which failed to achieve the formation of true states, and this in spite of important anticipations..." (Padoa Schioppa, 1997, 344).

to the widespread violence found in early medieval Europe, Guy Halsall shows how the word faida reflected a totally legal practice, one that cannot really be likened to or included within the concept of feud formulated by anthropologists:

In most early medieval vengeance killing, however, the violence is tactical, and, provided that it is conducted according to the accepted norms, it terminates the dispute. These societies held to a law of Talion: an eye for an eye and a tooth for a tooth. In the settlement of post-Roman disputes, the strategic element was the threat of violence. Public declarations of enmity or anger made clear an intention to seek vengeance, publicized the wrong done, and moreover manifested the party's belief that it had the right, should it wish to do so, to extract vengeance. It is this legal right which was meant by the word faida and its cognates (Halsall, 1999, 12).[49]

Feud, therefore, understood as a socially controlled legal practice whose aim was to limit violence. And which, as we have seen, can be fully comprehended only if seen in the context of the elaborate early medieval system of proof. Halsall's remarks would seem to reopen the debate on Brunner's thesis about the feud in late medieval and early modern times. And as Harold Berman has shown, the reception of the ius commune in Germany, which mainly took place in the first decades of the 16th century in the wake of political changes that served to exalt the role of the German princes, had the effect of significantly modifying the practices of conflict envisioned by customary laws. And though German jurists were inspired by the great statutory production of the Italian cities, the causes that led to the profound changes in modes of social control that took place in the German lands were very different. In the face of the problems of order caused by vagrancy and widespread social unrest, more radical measures were called for:

The preexisting system of criminal law, based as it was on the presupposition of stable local communal institutions, was not adequate to deal effectively with widespread and mobile crime of a quasi-professional and professional character. Moreover, the ecclesiastical courts, which had had a very broad criminal (as well as civil) jurisdiction, were losing substantial parts of that jurisdiction to princely and urban courts, whose procedures were, once again, not well suited to deal with the increased number and

49 However, Halsall adds: "Nevertheless, feud can be used to describe other violent relationships, some of which did exist in the early middle ages. Of course, if mechanism failed, then *faida* could become feud, but this does not seem to have occurred often, because of the existence of numerous mediating factors: state, church, community" (Halsall, 1999, 27). In this regard, Jeppe Netterstrøm remarks: "Halsall's thesis seriously challenges the survival-of-feud tendency which more or less intentionally is part and parcel of much work on European feuding. Although much European feud research has made a point of rejecting straightforward evolutionist explanations of the development and decline of feud, many would probably still imagine the potential of widespread feuding to have been larger in the Early Middle Ages than in the Early Modern Period. And the later feuding in one way or the other had its roots in earlier feuding", (Netterstrøm, 2007, 63–64). Actually, the most important differences that can be found between the early medieval feud (in the sense proposed by Halsall) and that of following periods are due to the insertion of the customary system into that of the *ius commune* and in the trial rites that marked it.

variety of cases. Similar problems, though not so acute, exited in England, France and other countries of Europe (Berman, 2003).

Such transformations sensibly influenced the modalities of feuds, which no longer took place essentially within the sphere of the old customary practices, but instead were received and redefined within the ambit of learned procedures. A similar phenomenon was to occur towards the end of the 16th century in Scotland. As Jenny Wormald has stated, the customary procedures that drove feud were received and reformulated in the sphere of legal practices and trial procedures through the mediation of an influential class of lawyers and legal professionals (Wormald, 1980).[50]

It is obvious that the political and cultural context which in the 12th century saw the reception and spread of the ius commune in the cities of the Italian peninsula was very different. However, there is no doubt that the political formation of the new territorial realities centred on the autonomy of urban centres in the end led to a redefinition of the modes of social control, and in particular of the way feuds were carried on. Ancient customary practices and new legal institutions interacted in the sphere of trial procedures variously proposed and theoretically formulated by jurists with a Romanistic formation.

CUSTOM AND THE NEW JUDICIAL PROCEDURES

Research carried on in recent years on the concrete judiciary activity of some urban courts in central-north Italy have revealed that the procedures used in trials both of the accusatory and the inquisitorial type not only acknowledged an important role for the parties in conflict, but also adopted a flexible approach characterized by pacts of peace and by mediation (Maffei, 2005; Vallerani, 2005; Rubin Blanshei, 2010).[51] Obviously, this type of justice was socially selective, directly reflecting, as Sarah Rubin Blanshei has noted, the interference of local political dynamics with those who were responsible for its administration (Rubin Blanshei, 2010, 320). Massimo Vallerani has well illustrated how the distinction between accusatory and inquisitorial procedures was actually not very important, either as regards the interference of the parties or the frequent use recourse of procedural mechanisms. For instance, the ample use of procuratori and of guarantees (*pieggerie*) show that trial rites aimed chiefly at re-establishing the order of peace (Vallerani, 2005, 197–199), while the frequent recourse to the penalty of banishment reflected a justice whose aim was both to favour the composition of conflicts between parties and to exile elements felt to be hostile to the community (Maffei, 2005, 129, 145; Vallerani, 2005, 170). Thus, research suggests on the one hand a significant blending of custom

50 Michael Braddick has well summed up a process that was both political and cultural: “feuding could serve to control and resolve conflict and was a supplement to legal process since arbitration to end the feud might well include legal settlement. There were close connections between the principles and practice of the feud and legal procedure, not least in the way that compensation was built into formal legal settlements” (Braddick, 2004, 357–358).

51 A type justice, therefore, that can only with difficulty be defined as hegemonic or as the expression of state law.

with trial rites and on the other the tendency to adopt procedures inclined to re-establish equilibriums upset by conflict.[52]

It seems clear that a real understanding of the feud in ambits that adopted, in different periods and different ways, the learned procedures of the ius commune spread by expert legal professionals, can only come about through a historiographical approach that is willing to accept the tools typical of legal anthropology. As Thomas Kuehn has said, this approach has allowed us to appreciate the widespread legal pluralism existing in medieval and early modern society, and also:

> *In study of the Middle Ages, then, one finds that feud and vendetta lasted throughout the period as "normative" forms of dispute processing, flanked by other customary and extra-judicial forms. But it also clear that the Middle Ages were not just a negative backdrop or a stage to transcend in order to arrive at modern states and laws. There were moments of centralization of political power and courts, as with the Carolingian and Anglo-Saxon monarchs, that left a legacy of importance for later developments. There was also the legacy of the sophisticated and written Roman law. Legal developments of the Middle Ages were complex, bust among the most important of the period (Kuehn, 2009, 335–336).*

The contribution of legal anthropology can be of great interest for the study of the feud in showing the relationship existing between the procedures and protagonists of a trial with the social dimensions of the conflict. This contribution has been applied, at least theoretically, by the legal historian Peter Stein in his *Legal Institutions: the Development of Dispute Settlement*, following the approach developed by social anthropology (Stein, 1984).[53] The new forms of justice were characterized by the adoption of written procedures entrusted to genuine legal professionals, but also by a great flexibility in accepting customary practices that were still in force:

> *In such societies, informal mediation, arbitration and self help through retaliation are less prominent than in the societies which lack such institutions. But these methods of dispute settlement do not disappear. They may survive as alternatives to the regular court process, or they may be incorporated into that process and allowed after a court decision to that effect (Stein, 1984, 13).*

It is possible to appreciate this interrelation in the dynamics of trial proceedings, especially in reference to the feud which, more or less intensely according to the territories and the periods in question, was channelled into the new procedures, whether accusatory or inquisitorial. This phenomenon was to continue well into the modern period, even when a real hegemonic justice system prevailed, shifting the emphasis from an order of

52 Daniel Lord Smail has studied the relationship between *ex-officio* procedure and the spread of pacts of peace in the city of Marseilles (Smail, 1996b).

53 On Peter Stein, see Kuehn, 2009, 351.

peace, the expression of deep-rooted community law, to an authentic public order, the reflection of a society that demanded different parameters of social order and security (Povolo, 2007 and 2011).[54]

The more easily available trial records for the early modern period and accurate studies based on the scarcer and more fragmentary ones left us from the medieval period allow us to grasp the most important aspects of the management of feud in the sphere of trail rites. Despite their geographical particularities and the changes undergone over time, these rites reveal the existence of a community law legitimized by a constitutional and class system that originated in and referred back to the Middle Ages and did not definitively disappear until the end of the ancien regime.[55]

The main aspects of feud can be appreciated in the trial rites by focusing on the procedural phases that directly influenced the development of the conflict. This procedure was distinguished by customs and local norms, but it followed an underlying logic that can be summarized in the light of the feuds that pervaded it.[56]

- *Start of proceedings*. The start of proceedings, especially in the presence of an inquisitorial procedure (*ex-officio*), was often decisive in determining the subsequent development of the conflict. The various more or less solemn forms of summons adopted and their publication directly influenced the penalties inflicted. They were also essential for classifying a procedure more suitable for delimiting and carrying on feuds than for a different procedural mode, whose purpose was, instead, to punish behaviours considered detrimental to society's security and moral values. As we shall see, a non-solemn procedure allowed the defendant to defend him/herself by proxy or per patre, or else to obtain a safe-conduct. In murder cases this allowed him/her to defend him/herself in advance from certain aggravating circumstances, such as premeditation. A non-solemn summons aimed essentially at bringing into its sphere a type of conflict still carried on prevalently in an external social context, thereby facilitating pacification and the restoration of the equilibrium that had been upset. Defined as *processo informativo* (informative process), the start of proceedings was accompanied by the examination of witnesses. If the initiative was taken by one party, the witnesses were supplied by the injured party him/herself, while in the case of *ex-officio* initiatives they were summoned by the judge. These first statements were clearly decisive in determining both the type of citation deliberated and the possible arrest of the accused. The judge's discretion-

54 As we shall see, in certain social contexts even the more traditional forms of trial rites underwent substantial modifications that considerably complicated management of feud by the forces involved.

55 Fioravanti, 2002; Najemy, 2004a, in particular the contributions of Kent: *The Power of the Elites: Family, Patronage, and the State* (Kent, 2004); and of Najemy: *Governments and Governance* (Najemy, 2004b).

56 The following summary traces the general outlines of a procedure that reflected and embodied local customs. It should also be added that though these rites were modified over the centuries in medieval and modern times, nonetheless they continued to follow certain fundamental orientations up to the first half of the 17th century. Along with the works cited for the 13th and 14th centuries, this outline is based on Bellabarba, 1996, 257–300; Povolo, 2007; Povolo, 1996, 9–32 and Povolo, 2004b.

ary power in general was more or less important according to the danger that the crimes being tried were felt to represent to the community. In this first phase of the trial, the judge traced the boundary between two substantial dimensions of justice: one aiming at affirming the public jurisdiction of the city, and the other whose goal was to channel the feud into the trial sphere. It seems clear that when the city's dominion covered a fairly wide territory the court was inclined to use the former form of justice for conflicts and feuds existing there. The defendant's social position was, however, the crucial factor in having recourse to a flexible procedure that allowed wide room to feuds. The arrest or presentation of the reo was followed by his/her interrogation, the so-called costituto de plano, which could be accompanied by torture. The essential purpose of the interrogation was to ascertain the defendant's identity and his/her position in regard to the charges brought in the summons.[57] In this context we can explain the fact that a copy of the interrogation was communicated to the injured party to ask for possible objections. In this phase the defending attorney came onto the scene. This was generally necessary for the defendant to be granted release after interrogation, so that s/he could follow the trial while out on bail, with the obligation to present him/herself when the sentence was pronounced. What is more, certain types of summons could envision defence per *procuratorem* or *per patrem*. In this case the attorney or father of the defendant presented himself in his/her stead. It is therefore possible to say that on the whole both the *processo informativo* and the *processo offensivo*, while essentially entrusted to the figure of the judge, had the aim of encompassing the feud within the judicial proceedings, thereby facilitating it peaceful resolution.

- *Continuation of proceedings*. The central phase of the proceedings was called the *processo difensivo*, though in reality the two parties faced one another accompanied by their attorneys in an authentic judicial battle. This followed points of argumentation (chapters), which the witnesses presented by each of the parties were questioned about. Despite the very precise rules formulated by jurists, it seems clear that the witnesses followed the pattern of friendship and alliance networks. The defendant's attorney was also given the faculty to attach or to read a document for the defence, which in a certain sense reflected the outcomes of the conflict as it occurred both outside of and within the judicial proceedings. Obviously, and above all in cases felt to be particularly important or politically relevant, there were possible limits allowed for the defence of the accused. Low social standing or poverty, as well as the gravity of the crime, were elements tending to augment the judge's role and the inquisitorial nature of proceedings aimed at reaching a severe punishment. However, in contrast to the inquisitorial procedures that decidedly prevailed in the 16th century, the right of the accused to a defence, the assistance of a defending attorney, and above all the possibility to examine the accusations formulated by the opposing party and his/her witnesses were never

57 This phase distinguished what was called *processo offensivo* in the 16th century. Torture was used after the first interrogation if the defendant refused to give his/her identification and place of origin.

completely denied within the sphere of a procedure that had developed essentially as a means to settle conflicts.

- *Concluding phases of proceedings*. The sentence concluded the complicated trial procedures, even though an act of peace made in the meantime by the parties could interrupt the trial during preceding phases, or in any case sensibly affect the tenor of the sentence.[58] The judge's decision was in any case strongly influenced by the type of summons adopted previously, and by other acts which, like defence *per procuratorem* and *per patrem*, evidently precluded the death penalty.[59] The spread of pecuniary penalties and of banishment emphasized the close relationship between judicial rites and feud, in that the former kind of penalty aimed at settling the conflict and the latter at creating the conditions for establishing peace in the absence of the reo.[60] The penalty of banishment or those of blood, which varied according to the defendant's social condition and the how deeply the crime offended community values, evidently reflected the double dimension of medieval, ancien régime justice.

Thus, the judicial rites elaborated by common law jurists significantly represented conflicts of feud within the sphere of a community justice sensitive to an order of peace.[61] Obviously, they could also constitute only an important means of limiting widespread social violence.[62] In any case, the detailed written procedures elaborated by common law jurists played an important role in incorporating the wide variety of local customs, activating new modes of social control. This fusion clearly reflected the new political equilibrium that came into being from the 13th century on.[63]

58 Before reaching a sentence, the judge could decide to use torture, obviously in cases marked by the atrocity of the crime and lack of sufficient proofs. The decisive role attributed to confession and to torture clearly shows the importance assigned to the truth that lay in the mind and personality of the defendant. Only here can we identify a real interrogation, but the position in which it was placed (i.e., at the end of trial proceedings) clearly excludes the possibility of considering the judge's activity as inquiry.

59 The former was carried on through a lawyer, the latter by the defendant's father. Both presupposed that the defendant could be absent from the court, even in the concluding phase of the trial. Defence *per patrem* was usually adopted in cases of unpremeditated homicide. For both, I refer to Povolo, 2007, 33.

60 On these aspects, see Povolo, 2013.

61 The ancient ritual of the kiss of peace, as Petkov observes in his study, indirectly takes on definitive or at least more lasting legal value from the moment when it inevitably is included in the new trial procedure, filtered by a notary contract, "As a special type of legally sustained promise, qualitatively different from the 'simple' (verbal) promise, the ritual kiss was of utmost importance for the legal background of the process of peacemaking. Only the obligation taken through it ensured the breaking of the vicious circle: feud, court decision, refusal to pay or to accept payment, and new feud. Throughout the premodern period, the taking of personal liability and, later, the acknowledgment of the personalized duty to compromise through ceasing hostilities and paying or accepting indemnity instead of fighting back, created the only legal guarantee that pacification would succeed" (Petkov, 2003, 130).

62 "Some societies have not wholly accepted the classical model of the legal process. They have seen the function of the legal process to be as much the reconciliation of the parties, in the light of their relationship in its totality, as the application of a rule of law to a particular issue" (Stein, 1984, 15). This English jurist is one of the few who have grasped the subtle and never explicit relations between feud and legal process.

63 Peter Stein has well summed up these changes: "From the thirteenth century onwards there was continuous

The specific nature of the political organization (republic, city-state, principality, monarchy) and its territorial extension notably influenced the introduction, permanence and changes in interrelations among trial rites. These were entrusted to specialized technical personnel competent in applying learned written procedure as well as customary practices that were highly sensitive to the status and characteristics of the parties in conflict. And the history of the complex and alternating changes that marked the feud in Europe in the medieval and modern periods is, in the end, traced by the political and judicial changes that took place in each one of them.[64] Where research has investigated the very strong ties between feud and trial rites, it is possible to see that the phenomenon of feud continued over a long period.[65] Indeed, various scholars have noted that justice and social control in 16th-century Europe is characterized by the wealth of local jurisdictions, each of which tenaciously defended its privileges and customs (Kamen, 2000, 189–190; Black, 2001, 194–196).[66]

Changes had obviously come also about in a judicial process whose ideological reference was the ius commune. These changes can be seen in the tensions created by the way in which the judicial organs responsible for guaranteeing social control operated. For example, in the course of the 16th century, some alarmed jurists reported the widespread use in many Italian cities of the *ad informandum curiam* summons, which did not clearly specify the reason why the person who received it was called on to present him/herself in court. This type of summons gave wide margins of discretional power to the judge, clearly threatening the traditional forms of justice aimed at incorporating the conflictual dynamics of the feud.[67]

However, these were still changes that took place within the sphere of trial rites linked to tradition, adopted and defended by the composite world of lawyers and jurists with a Romanist formation. Very different would be the impact of forms of justice coming from on high and directed at assuring a new concept of order and social control.[68]

---

interaction in most European countries between the customary law and Roman law [...] The Italian city states recorded their individual local laws in a series of compilations, usually distinguishing customs, deriving originally from oral tradition, and *statuta*, legislative enactments of the local assembly [...] However, the cities insisted on being masters of their own legal destinies, and maintained that a specific custom or statute must override the Roman law" (Stein, 1984, 77–78).

64 The comparison is therefore possible only if we keep in mend the numerous political, legal and social variables within which feuds originated and developed.

65 Cf. *Infra*, in particular the pages dedicated to *The old community justice.*

66 For Italy, see the cogent summary made by Marco Bellabarba, who observes, "Through its proclamations justice designs moral boundaries, laying down the line between good and evil, between right and wrong conduct, while its guardians keep watch on this line day and night" (Bellabarba, 2008, 81).

67 Lorenzo Priori, a Venetian criminal lawyer who was writing in the late 16th century, based on the work of Giulio Claro, had to say of this type of summons, "which is truly hated in many cities and places for the prejudice that the accused persons feel, highly praising the observation of formal summons issued by most excellent doctors and practioners" (Povolo, 2004b, 155).

68 However these forms of justice responded to precise requests coming from society. As Michael Braddick has noted, in England "the impetus came from the localities at least as much as from the centre and the uses of state power were clearly patterned by social interest – by powerful groups in the hierarchies of class, gender and age" (Braddick, 2004, 429). In contrast to England, where social control had been effected since the Middle Ages in a sort of collaboration between the state, the Church and communities, in the rest of Europe it is only starting from the 16th and 17th centuries that it is possible to identify a diversification at several

THE NEW POLITICAL AND SOCIAL CLIMATE

A significant step forward in the historiographical fine-tuning of the construction of an idea of criminal justice based on a hierarchical organization of power and the figure of functionaries representative of offices held in a centralized bureaucracy was achieved in the in-depth comparative investigation of Mirjan Damaška.[69] This investigation has great value in helping us interpret the most significant aspects of the changes that occurred in the forms of social control and the way feuds were carried on.

In his *The Faces of Justice and State Authority*, published in 1986, while identifying the first significant changes in the administration of justice in the process of unification and bureaucratization that began within the Church in the 11th century, Damaška noted that this hierarchical and legalistic process, entrusted to the officium iudicis,[70] was essentially ideological and still far distant from the systematic juridical structure that would be developed only much later, in the course of the 16th century, above all in France as a result of the growth in the power of the monarchy:

> *It was not until the strengthening of princely absolutism in the sixteenth and seventeenth centuries that centralized bureaucracies started to dominate the governmental apparatus in the influential Continental countries. Even language was now affected by pressures toward regimentation [...] The idea of impersonal office was extended to the very heart of government [...] It is in this period that the idea of the state became detachable from the personal status of the ruler and converted into an institutionalized (impersonal) locus of allegiance (Damaška, 1986, 33).*[71]

levels, “The late-sixteenth and seventeenth centuries constituted the high point for church discipline. Thus semiformal and informal means of control loomed large in the lives of villagers and townspeople. The state’s penal system, however, was attuned to social control at a general level, that of maintaining public peace and order. Courts primarily dealt with serious violence and property offenses, next to challenges to the state’s authority” (Spierenburg, 2004a, 14–15) But in this context, see the following observations by M. Damaška.

69 Damaška’s work is directed above all to comparing the forms of trial that existed in the world of common law with that of civil law, connecting them to the power and state structures that produce them. This comparison is made while paying attention to the historical origins of these two juridical systems and above all to the constant tensions existing between different instances of justice. As we have already had occasion to observe, this is a question still found today in the discussion of the various ideologies of justice.

70 On this aspect, cf. also the observations of Padoa Schioppa, 1999, 127–128.

71 Obviously Damaška did not underestimate the strong continuity of the legal pluralism that existed almost everywhere. But it was precisely his comparative approach that allowed him to give just weight to the various aspects of the problem in his examination of certain key interpretative issues, “Much as the existence of a single central forum within a country does not presuppose rigid judicial hierarchization, so the existence of several independent tribunals does not rule it out. High Continental courts first and foremost exercised appellate jurisdiction. They were located on top of small judicial hierarchies, exercising strong overall leadership over the lower judiciary [...] It would seem that an apparatus of justice attached to order is disturbed less by the plurality of sources from which to choose the standard for a stable decision than by the possibility of one court of last resort destabilizing the decisions of the other” (Damaška, 1986, 34–35). In a similar fashion, in the summary made in *Legislation and Justice*, A. Padoa Schioppa has emphasized that “until the very threshold of the modern period, the structure of the entity called ‘the state’ by no means implied internal uniformity or the uprooting of the historic particularities of different regions,

Besides identifying the most significant aspects of the new dimension of criminal justice, this important analysis by Mirjan Damaška also comprehends the complexity of the ties between its formal and ideological implications and the wider ones of its political-territorial roots. This was a form of justice conceived as a genuine theatre of power, notably different from the one (prevalent in the system of common law, as well as in medieval Europe) that presents itself essentially as an encounter that takes place in an arena.[72]

Damaška's analysis aimed at grasping the close relations existing between the organization of power and the forms of the trial. Thus, he could observe how the changes that took place in the course of the modern period were decidedly new:

> *In the great majority of Continental countries judicial officials became career professionals [...] And unlike the judges of the church, secular adjudicators were no longer permitted to mould ordinances and other legal sources to conform to their conscience. The integrity of a powerful central authority was thought to require strict governance by rules. Highly placed judges found the resulting shrinkage of discretionary space quite acceptable: they became accustomed to deciding on the basis of orderly documents that screened out 'messy' situational and personal nuances likely to exert pressure toward leeway in decision making (Damaška, 1986, 33).*

Underlying Damaška's considerations, there was therefore a fundamental and well-focused definition of state law[73] which comprehended the links and continuity with what had developed in the Middle Ages (in the realm of ecclesiastical institutions), as well as the profound changes that began in modern times.

Studies of early-modern Europe have evidenced the changes that took place starting from the late 16th century.[74] The introduction in various European countries of authentic inquisitorial procedures, which limited the right to defence and the intervention of the parties concerned, represented a significant step forward in limiting at least the most bloody developments of the feud. From France to England to Germany, the new procedures were characterized not so much by *ex-officio* initiation of trials as by the public jurisdictional nature that the trials took on. As has been noted by John H. Langbein:

---

large or small; these all flowed together into the higher political formation" (Padoa Schioppa, 1997, 339).

72 And which clearly reflected different forms and instances of social control.

73 He is able to grasp its essence in virtue of the comparison made in all his work between *common law* and *civil law* (up to their contemporary outcomes).

74 There is a summary in Rousseaux, 1993. By the same author, Rousseaux, 2010, where it is suggested that in many European nations, such as France, Spain and Portugal, where monarchical power was strong, "l'étatisation de la poursuite pénale" was meaningful and took place mainly through real "première ligne" jurisdictional control and the role played by the king's public prosecutor. The new state justice took advantage especially of the *Parlamenti*, to which were directly attributed a series of penal competences all over the realm. By contrast, in other European countries, like Germany, Italy and the Netherlands, where local powers enjoyed ample autonomy, recourse was made to the creation of particular jurisdictions for prosecuting crime. Actually, as well shall see for the Venetian Republic, there was notable similarity in the changes that took place in the various European countries.

> *Modern scholarship has deemphasized distinction between private and public modes of initiation. What is called Inquisitionsprozess could did flourish in legal systems which continue to permit private as well as official prosecution. Historians today attribute to Inquisitionsprozess two cardinal and interconnected features, both evident in the sixteenth-century codes. The one, called Offizialmaxime or Offizialprinzip, parallels the idea of official initiation upon which earlier scholars generally seized; what is meant, however, is officialization of all the important phases except initiation. Where the mode of initiation was reduced to a formalism, lacking functional importance to the conduct of the prosecution, it mattered not whether it too was officialized or left in private hands (Langbein, 1974, 130–131).*

It would be misleading to give the introduction of inquisitorial procedures and the appearance of a repressive form of state justice a decisive role in the challenge to ancient judicial rites, which seem to have remained vital through much of the modern period. These rites were imbued with a highly complex and structured concept of violence and conflict.[75] And a more general examination of the procedures used in European courts of various orders and levels allows us to grasp the inter-relations existing between the cultural and social dimensions of feud and the new forms of regulation introduced by the institutions of the state, above all in the wake of new social instances not directly bound to tradition and custom.[76]

Inquisitorial procedures, the ongoing struggle against banditry and, in general, the social and cultural climate that witnessed the development of a new punitive type of justice throughout Europe are all meaningful elements that suggest how during the 16th century the feud system and violence itself came to be perceived in a significantly different way than in the past.[77] But taken together these were very likely only the point of an iceberg that reflected a far more complex phenomenon, in which tradition and innovation interacted intensely. Where, as for example in the territories of the Venetian Republic, research has investigated the close ties between feud and trial rites, it has been shown that

75 As Tomás A. Mantecón maintains, “beneath an administrative apparatus of the Crown, there lay theoretical justifications, local laws and customs which left a deep imprint on judicial administration [...] An analysis based on social practice around the concept of crime and not just the institutions, an examination of the execution of sentences and not simply their pronouncement, and a study of the social relations in each social structure and their sensitivity to change over a long period of time, all of these perspectives are making the hands which distributed discipline, at times repressive and at other times corrective, more visible.” (Mantecón, 1998, 68). See also for the complexity of the relationship between the use of violence and the ideology of social control Schwerhoff: “The exercise of violence was sanctioned negatively both by the authorities and by societies in the Middle Ages as well as in early modern times; to bring about peace, to keep and to re-establish it if necessary, was one of the most treasured values of these centuries” (Schwerhoff, 2002, 13).

76 The study of procedure has not had many proselytes, as Rousseax pointed out in 1997, in his summary of studies on the history of crime (Rousseaux, 1997, 106). But see also the remarks of Cerutti, 2003, 11–22.

77 Besides the above-mentioned bibliography, see Ruff, 2004, 73–83; as regards the changes that involved what has been called *moral tradition* in some European countries, both Catholic and Protestant: Bossy, 2004; also, for the Church’s intervention regarding customary practices that gave protection to those who, though guilty of a crime, took refuge in a sacred place: Shoemaker, 2011, 167–173.

the dynamics of conflict took place mainly on three distinct judicial levels.[78] Once again, it is above all the examination of procedure and trial rites that reveal the complexity of the direction taken by the feud and its outcomes in the social and political context.

THE NEW PUNITIVE JUSTICE

During the 16th century, a system of criminal justice controlled directly from the centre and aiming above all at punishing crimes considered socially dangerous was decisively established. Above all in the period between the late 16th and the first decades of the 17th century the procedures adopted were of the inquisitorial type. These were very severe, and strictly limited the defendant's possibility of defence, and explicitly introduced a punitive idea of justice. This was all the more meaningful when compared to more traditional forms of justice in that both the laws and the punishments inflicted were valid in all the lands of the state, thus ignoring the ancient jurisdictional arrangements.

The inquisitorial trial took on declaredly political features, putting a damper on the guarantees and respect for common law procedures formulated by jurists who based themselves explicitly on that system of law and on the ancient municipal statutes. This type of criminal trial was characterized in primis by the so-called self-defence, formally drawn up by a defence attorney who had to remain behind scenes, and who did not in any case have at his disposal a copy of the trial documents. Clearly he had slight possibility of challenging the political choices of the judging organ.[79] The type of interrogation that prevailed (called *costituto opposizionale*) marked the start of a genuine inquiry, although for a long time the probative system still kept prevalently to the old form of legal proof based on two testimonies in agreement and on confession. The role of the victim (the opposite party) was almost completely absent, and generally the sentence did not take the form of pecuniary damages.[80] Above all, there were many laws passed regarding banditry; these were superimposed over custom and local statutes. These political and social changes took place in all the ancient Italian states, along the lines of what was happening in the wider European context.[81]

---

78 But other in-depth studies, such as the one regarding the court of the Torrone of Bologna, reveal a plurality of levels of justice that attest the profound changes that took place in the course of the modern period.

79 Jean-Pierre Royer, focusing on the great *Ordonnance criminelle* of 1670, has remarked that "il n'est pas sûr par example que l'avocat ait toujours été absent du procès pénal courant et qu'il ne se soit fait connaître, dans les grandes causes, que par les *factums* et *mémoires* écrits dont la vogue va se répandre au XVIII siècle", cf. Royer, 2001, 39–40. Gaetano Cozzi also focused on self-defence in his studies, done in the eighties, which then appeared in one of the volumes published on occasion of the important conference held on the Leopoldina. See his: *Autodifesa o difesa? Imputati e avvocati davanti al Consiglio dei dieci*, later republished in Cozzi, 2000, 156–229.

80 A meaningful example is the trial held against Paolo Orgiano and other members of the Vicenza aristocracy in the first decade of the 17th century. The trial acts are published integrally in Povolo, 2003, and with an introduction by C. Povolo. Il *costituto opposizionale* arose and developed in the sphere of the inquisitorial trial. The older *costituto de plano* was not abolished, and often preceded the *opposizionale*, almost as if to indicate the difficulty in leaving behind totally the old judicial rites.

81 For Italy, see the summary by Marco Bellabarba in his *La giustizia nell'età moderna (*2008, in particular 115–128). On the phenomenon of banditry and the often summary procedures used to cope with problems of order and social control, cf. Fosi, 1995; Povolo, 1997; Lacché, 1998.

This criminal policy was initially very prudent and careful not to interfere with the jurisdiction of the local tribunes that had broad authority of banishment from cities, territories and the so-called fifteen miles outside of these territories. At first the central organs limited themselves to suspending for limited periods of time the possibility that bandits could be killed with impunity if they entered the forbidden territories. In this way, feuds were regulated from the centre without interfering explicitly with local jurisdictions. This policy clearly also aimed at encouraging the urban ruling classes to limit the use of violence, and for its characteristic features can be defined as a policy of suspension.[82]

Starting from the last two decades of the 16th century, this policy was definitively replaced by other choices of an interlocutory type, whose harsh and severe impact marked a decisive change. Indeed, the central organs started to pass laws against banditry, thereby annulling the ancient rights of municipal jurisdictions.[83] Initially, this body of laws was postponed for limited periods of time, but in the end it prevailed entirely. The penalty of banishment was made extremely strict and extended to all the lands of the state. Bandits could not only be killed with impunity, but the law also decreed that they could kill each other.[84] Killing a bandit guaranteed a reward and, above all, the right to free another banished person (the so-called *voce liberar bandito*).[85] The penalties of death and banishment were extended to cover the whole state and substituted traditional penalties. One of the consequences of this stricter use of the penalty of banishment was the rise and spread almost all over Europe of the figure of the outlaw openly antagonistic to the reigning political authorities.[86]

Not only did the imposition of inquisitorial procedures and the new legislation on banditry discourage the customary dialectic between feud and trial rites, it also had the effect of weakening powerful aristocratic lineages and the political control they exercised over other social classes. This higher level of justice and trial procedure reflected primarily the need to impose a concept of public order aimed at assuring social peace and order as well as protecting trade. The social and geographical mobility of the 16th century had clearly revealed the inadequacy of the usual parameters of social control and consequently the weakness of the municipal political contexts which insisted on claiming their prerogatives and jurisdictions.

The requirements of peace and order and the evident state of emergency facilitated the imposition of the new trial rules. But the most important changes on the whole occurred

82 In brief, what was suspended was municipal jurisdiction over banditry.

83 As we have said, the old penalty of banishment also had the function of containing the devastating effects of feud by sending away the person who had committed a blood crime, thereby facilitating the recomposition of the antagonistic groups. The new legislation definitively made this impossible for local tribunes, even if initially it was marked by limited periods of time (two or three years), which were however renewed after brief pauses. From the early 16th century on the laws on banditry, emanated from the dominant centre, automatically became definitive and so lost their provisional character, though from time to time they were taken up again to be integrated or modified.

84 For a general picture of this change cf. Povolo, 1997*;* Fosi, 1995.

85 The *interlocuzione* (interlocutory judgement) vis a vis local powers lay in the fact that from this time on it was a centralized law that periodically regulated the penalty of banishment. Measures of *suspension* were therefore followed by those of *extension*.

86 An example is found in Povolo, 2011.

in the administration of criminal justice. At first timidly but then with a brusque acceleration, from the late 16th century on this was directed and controlled by the dominant centres. However, even in this case the choices made at first highlighted the difficulty of bypassing and overcoming the polycentric structure of the jurisdictional state, centred as it was on a multiplicity of jurisdictions and privileges that were still unchanged and had kept their original profile.

These choices and times various from place to place, but they are indicative of the political and judiciary changes that began in the 16th century. In Bologna, for instance, the transfer of criminal activity from the tribune of the podestà to the Torrone constituted a political fact whereby "papal power was able to impose its effective control of the city almost always without injuring or openly denying its boasted privileges" (Angelozzi, Casanova, 2008, 10 and more fully in 57 and ff.). In Florence, Milan and Genoa, as in other parts of Europe, the severity of penalties and the inquisitorial procedures adopted clearly reveal the great changes that had taken place in the administration of criminal justice.[87] In a territory intensely characterized by jurisdictional autonomies and kin networks like Sardinia, the imposition of strict forms of justice clearly aimed at weakening antagonistic local powers was felt only in the second half of the 18th century (Lepori, 2010, 171 and ff.).

In the Venetian Republic the same phenomenon can be seen starting from the last two decades of the 16th century. But the new criminal policy is also apparent in previous decades, both in the direct transfer of politically meaningful cases by the Council of Ten and in the interference of the criminal Quarantia in the jurisdictional activity of the cities in the Terraferma. In the end, an intense activity of delegation to the rectors and their *corti pretorie*,[88] which enjoyed the same authority and procedural modes as the Council of Ten, imposed a higher level of administration of criminal justice,[89] one which no longer reflected local power dynamics or, especially, the feuds that had always found an important form of containment and legitimization in the sphere of justice and trial.[90]

The new delegated judicial activity was aimed at regulating and controlling what were considered to the most dangerous social phenomena. Its effects were devastating, above all as regards certain sectors of the aristocracy that did not accept this new state of things or the redefinition of their image and political role. The case of Brescia is significant:

87 For an overall view, see Mereu, 2000, 37–53; Sbriccoli, 2009, 131–154 and 279–320, in which the author indentifies a sort of continuity with the earlier form of a hegemonic type begun at the start of the 14th century, a moment when "it seems to grow and impose itself with unceasing continuity, reducing the spaces of negotiated justice" (Sbriccoli, 2009, 142). As we have already remarked, this hypothesis can only be accepted in its formal and jurisprudential traits.

88 The *Corte pretoria* comprised the Venetian podestà and his assessori, professional judges who accompanied him over the course of his appointment. Variable in number, their presence was marked chiefly in the most important cities. The proxy granted to the *Corte pretoria* included the inquisitorial rites of the Council of Ten, and it excluded from the preliminary trial inquiry both local notaries and, if hypothetically envisioned, the presence of citizen-judges. The preliminary inquiry was entrusted to the *giudice del maleficio*, an *assessore* of the podestà, while the trial transcript was drawn up by the *cancelliere pretorio*, another figure in the entourage of the Venetian rector.

89 Called, in fact, delegate. For the Reign of Naples, see the remarks of Bellabarba, 2008, 125.

90 For a general overview, see Povolo, 1997 and 2007.

along with that of Padua, its *Corte pretoria* became one of the most important courts in the Terraferma, administering by inquisitorial proceedings a notable amount of proxy judicial activity addressed to it by the Council of Ten. This activity was marked by the severe sentences inflicted and by a tight control over the powerful local aristocracy, and its impact on the local feud was undoubtedly devastating.

Paradoxically, in narrative, although with some distortion of the procedures used, the new punitive justice brought to the surface a system of conflicts that had the feud as its reference point, along with the related language of honour and status. In the course of the 17th century it is thus possible to see true rhetorical figures, such as the tyrannical, abusive nobleman, along with glaring social manifestations like the unwonted violence that resulted from apparently ill-advised clashes between antagonistic groups.[91] But the new punitive justice also carried with it forms of narration spoken in the voice of the protagonists of inquisitorial procedure – men and women who had suffered abuse and violence. Starting in the 19th century, these narrations attracted the attention of historians and novelists like Alessandro Manzoni, who were the first to turn their curiosity to 17th century society, viewing it through the prism of trial documents (Povolo, 2004c).[92] Though they did not grasp the language of feud that imbued these documents, these 19th-century authors placed themselves inside that society without hiding their amazement about social practices that seemed to belong to a distant and culturally obsolete world.[93]

THE OLD COMMUNITY JUSTICE

In the course of the modern period we can see forms of justice and trial rites marked by their continuity with tradition and the old idea of order that aimed at guaranteeing the peace. These forms of justice reflected the fragmented political panorama of the ancient régime, even if they clearly had to accommodate the emergence of the new punitive jus-

---

91 In his *Prattica e theorica del cancelliere*, the Vicentine Giacomo Marzari, treating the features of the *Inquisizione generale*, portrayed two stereotypes of imagined criminals: *Terripandrum Metonem mandantem* and *Arrionem Fallariun mandatarium et assassinum*, examples of perpetrators of an interminable series of crimes (Marzari, 1593).

92 Despite profound differences in the political and judicial context, it is possible to extend to the Italian situation what has been observed by Jonathan Grossman regarding the birth of the novel in England, "The novel, in becoming the ascendant literary genre of the nineteenth century, played an active role in a process through which a reinvented criminal trial supplanted the spectacle of the gallows as the culmination of justice [...]; in the era between gallows literature and the detective mystery, between Tyburn scaffold and 221-B Baker Street, the law courts crucially shaped the formal structures and political aims of the novel" (Grossman, 2002, 5).

93 One of the first witnesses is Giacomo Casanova. Shut up in the *Piombi* of the Ducal Palace, while pacing up and down in an attic next to his cell where he was allowed to walk, he came upon a genuine surprise, "I had seen lots of old pieces of furniture thrown onto the pavement, here and there, and in front of them there was a big pile of files: I picked up five or six, to amuse myself in reading them. They were criminal trials that I found very interesting; it was for me a new genre: evocative interrogations, singular replies about the seduction of virgins; forbidden courtesies paid to tutors, confessors, school masters and pupils. There were some dating back two or three centuries, which for their style and customs allowed me to pass whole days quite pleasantly", cf. Vianello, 2009, 70.

tice. It is in the realm of these trial rites that certain procedures, which allowed a considerable degree of initiative to the conflicting parties and to acts of peace, were still operative and vital.[94] These forms of justice were at times confined to outlying judicial organs, but often they could also be found in courts where the new inquisitorial procedures had come into use.

What determined the different procedures utilized was obviously both the type of crime and the social significance of the conflict and its protagonists. In Bologna, for instance, in a large important court like the Torrone, there were frequent trials in which there was interaction between forms of pacification, renunciation of proceedings on the part of the injured party, or even surety bonds that allowed the defendant to go free on bail (Angelozzi, Casanova, 2008, 441, 576, 603). In the large Lombard city of Brescia, whose court, as we have seen, together with Padua's had become the privileged reference point for a vast activity of delegation directly controlled from the centre, there was still a widespread type of justice strongly characterized by the feud and the defence of community values. The punishments inflicted were clearly aimed at stressing the dangerousness of the culprit, rather than the crime committed; the death penalty was rarely applied, and only in cases where fundamental community values were involved. The proxies obviously subtracted from the ordinary jurisdiction the more politically and socially important cases, which were handled with inquisitorial procedures, which excluded local notaries and jurists. In a similar fashion, in Verona and Vicenza procedures allowing the parties very wide margins of action, in which feud and the protagonists' status drove the typology of conflict were very common.[95] But in these two cities as well the inquisitorial rite of the Council of Ten, when delegated to the city court, signified the exclusion of ancient privileges that gave the local ruling class a determining role in both the management of the trial and the infliction of the penalty.

In the Northeast, in a vast territory like Friuli, studded with seigneurial jurisdictions as it was, the trial procedures formulated by common law jurists were still imbued with custom for much of the 17th century, despite that fact that the administration of justice was mainly entrusted to jurists with a Romanist background. The justice administered in Tolmezzo is emblematic in this sense: the court had broad jurisdiction over almost all of Carnia, where an order of jurists and lawyers was active. The trial procedures used here envisioned not only recourse to *per patrem* or *per procuratore* defence, but also frequent pacts of peace agreed on between the conflicting parties, followed by solemn oaths taken in the town cathedral in the presence of the entire community. These were age-old rites envisioned in the medieval statutes; their presence bore witness to the force of a tradition that seems not to have disappeared. In reality, in all of Friuli the most important cases were delegated to the court in Udine, where the *Corte pretoria* and the Venetian deputy

94 I refer once again to Povolo, 2007.

95 For instance, the practice of presentation at the start of the trial only for premeditation was still widespread. In this way, the accused could introduce the question of legitimate defence or *frenzy* in the trial. This practice clearly tended to legitimate the use of vendetta, even in this judicial context, where the need to limit violence through the adaption of more severe penalties and procedures was felt. An example can be found in Povolo, 2014.

administered justice according to the inquisitorial rite of the Council of Ten (Povolo, 2013, 529–532; Povolo 2007, 17–24).[96]

The fragmentary political-institutional structure was a key factor in determining the persistence of tradition, which was possible to find everywhere, mediated and filtered by Romanist jurists. In large cities like Brescia, Padua and Verona, only to mention the most outstanding cases, the role of the jurists and their activity in judicial offices clearly had greater weight, and the ties between custom and learned law were forged within the sphere of institutions which inevitably reflected the social and political changes that had occurred chiefly in the 16th century.

The same dynamics can also be seen, with different methods and rhythms, in the smaller towns, but there they were endowed with a decidedly institutional profile. A significant example is what took place at the beginning of the 17th century in the *Magnifica Patria of the Riviera del Garda*, a very old jurisdiction that united as many as thirty-six communities stretching along the western shore of the lake. A general council enjoyed broad jurisdictional authority united the representatives of all these communities. While civil justice was entrusted to a podestà periodically sent from Brescia, criminal justice was the competence of the Venetian superintendant, who resided in Salò, the main town of the *Riviera*. Around the middle of the 16th century there was created in Salò a college of jurists which united representatives of the most prominent families of the whole *Magnifica Patria*. The chancellor of the superintendant and his assistants were entrusted with management of the criminal office, where suits and denunciations were brought and trial proceedings were instituted. Endorsed by statutes approved by Venice at the start of the 15th century, the jurisdictional set-up thus filtered a type of community justice extremely sensitive to local conflicts and all forms of re-composition directed at maintaining the existing equilibrium.

Despite the opposition of the *Magnifica Patria*, in 1577 Salò obtained permission from Venice for the superintendant, during the course of his appointment, to be backed up by a *giudice del maleficio*, a Romanist jurist from another town of the Terraferma. The formal motivation given by for having a real criminal office, as was already the case in the more important cities of the state of the Terraferma, was the need to solve with suitable means the bitter conflicts between the families of the *Riviera* that led to numerous murders. A *giudice del maleficio* would in fact give more importance to the jurisdictional profile of the main centre, thereby weakening the action of containment and mediation performed by the jurists of the college, whose activity as lawyers and prosecutors had great importance in the criminal trials into which the numerous feuds between *Riviera* kin-groups inevitably flowed.

In 1607 the General Council of the *Magnifica Patria* rose up against what it by then felt to be a widespread, consolidated practice of the *giudici del maleficio*. Indeed, even in the absence of evidence that could justify the arrest or summons of a reo, it was a quite common practice to use a form of summons (*ad informandum curiam*) that did not state clearly if the person who received it had to present him/herself as witness or defendant. As the Council insisted, this practice not only contrasted with the terms of the statute, but

96 More fully and above all in reference to a very large abundant number of cases, cf. Povolo, 2004b, 137–138.

also went against "any sort whatsoever of natural law". It went on to say that it derived from the pretence of the *giudici del maleficio* to oblige the representative of the *Riviera* communities to report "every tiny thing, every little incident, even if verbal, in pure brawls". This pretence was so strongly consolidated that in the criminal clerk's office in Salò a large number of trials were instituted concerning "cases about which they should not and could not proceed."[97]

Despite the rather bombastic emphasis of the representatives of the *Riviera of Garda*, this conflict clearly reveals the tensions that still existed at the start of the 17th century between forms of justice that reflected the community dimension and feuds on the one hand and on the other the administration of a form of justice tending to emphasize the role of the criminal office and the action of jurisdictional containment it carried on to cope with the widespread social unrest. As we have already stressed, the practice of this new form of summons was explicitly denounced by 16th-century jurists over much the Italian territory, but this episode in the *Riviera of Garda* between the 16th and the 17th centuries clearly illuminates the tensions that inevitably arose between a consolidated tradition, according to which the essential role of trial was to facilitate the settlement of conflicts, and the imposition of a jurisdictional vision aimed at affirming the role of the office in confronting the logic of kinship and rival groups.[98]

FROM TRIAL RITES TO THE NEW CRIMINAL TRIAL

It should be no surprise that traditional trial rites, while adapting to the social and legal changes that were going on, had on the whole kept their distinctive features, i.e: the active role of the parties in conflict; the presence of ancient trial institutions such as the *per patrem defence*; inquiries characterized by non-incisive forms of interrogation; release of the defendant after deposit of suitable guarantees and bonds; and, most important, the interference of acts of peace and settlement. These were, in fact, rites grounded in a very fragmentary institutional structure, legitimated by a constitutional system whose symbolic reference points were the community and the *res publica*. Above all, these rites represented a social and cultural context where kinship, friendship and honour held an extremely important place, all the more significant when they merged with political power and status.

The emergence of a new punitive system of justice and trial rites considerably weakened the constitutive and symbolic elements of a tradition that had great difficulty in meeting the new requirements of social control. However, this was a form of justice and of procedures which, even when they were imposed severely and with continuity, always took on a character of extraordinariness, almost as if to underscore the irrepressible force of tradition.[99]

97 On this, see Povolo, 2011, 175–176. The General Council appealed to Venice and obtained the possibility to oppose itself, case by case, to every *ad informandum curiam* summons that had not been adequately justified by the *giudice del maleficio*.

98 Such tensions can be constantly found in medieval and early modern times, but in this period they obviously reflected the new political and social climate that had led to the emergence of the new punitive justice.

99 In the 16th century, in France and the Netherlands, too, a *procédure ordinaire* is clearly distinguished from a *procédure extraordinaire*: the latter is characterized by the elimination of all forms of cross-examination

Actually, during the course of the 17th century, things progressed, and in the end the new form of criminal trial prevailed. It was endowed with a different kind of legitimacy and its more incisive procedures managed to weaken the role of the parties. Certainly, it would have been difficult for the inquisitorial procedures introduced in the 16th century to be adopted systematically in open infringement of certain rights which, like the right to a defence, were felt to be fundamental to the system of common law and the ideology underlying the statutes. Indeed, though the inquisitorial procedure continue to be used throughout the 18th century, its use was less systematic and chiefly for cases with important political relevance (Povolo, 1996, 26–32).

From the first decades of the 17th century on, in the Venetian Republic a particular type of procedure emerged, called *servatis servandis* or open.[100] Gradually this prevailed over both the old trial rites and the new inquisitorial procedures. In realty this was a procedure originating in traditional rites, but which in the context of the vast activity of delegation controlled by the Council of Ten rapidly took on new features. Initially, the essential aim of the delegation envisioned by the *servatis servandis* clause was to give the courts of the Terraferma the possibility to use stricter penalties, not envisioned in statutes that inevitably referred to the medieval political and legal structure. The old procedures should have been respected on the basis of the jurisdictional prerogatives of the city to which the court that had been granted a delegation from the centre was connected. But in the *servatis servandis* delegation there was room for a certain degree of ambiguity, which theoretically could lead to strained interpretations of procedure.[101]

Endowed with the authority granted by one of the highest political-judicial organs of the dominant centre, in the course of the 17th century the *servatis servandis*[102] trial was to undergo a change in the phase that *pratici* and criminal lawyers defined as *processo offensivo*. Following the lines of the inquisitorial procedure, an authentic interrogation was placed alongside the ancient *costituto de plano* (*costituto opposizionale*) whose purpose was to uncover the truth of what the defendant declared.[103] Research has shown that this type of interrogation is documented both in Lombardy and in the Venetian Terraferma (Povolo, 2007a, 60–61; Garlati Giugni, 1999, 148–150, 300–301). Endowed with this new and more effective authority, the judge and the delegated court felt the need to make the initiatives taken in the first phase of the trial (the so-called *processo informativo*) more incisive by accentuating the offensive action taken towards defendants arrested for

and of release of the defendant. At the end of the first phase (in Italy comprising the *processo informativo e offensivo*) the judge decided whether to resort to the ordinary phase or the extraordinary one, thereby denying the defendant the possibility to defend him/herself with a lawyer (Rousseaux, 1993, 78–84).

100 Evidently to distinguish it from the inquisitorial one, which was not open to the parties and was secret.

101 For example, *cancellerie pretorie* (magistrate's clerk's offices), connected to the Venetian rector, very soon claimed a sort of jurisdiction over *servatis servandis* cases, excluding the notary boards (colleges), which had *ab antiquo* competence over the preliminary investigation of criminal trials. The competence of the *cancelliere pretorio* was in fact initially limited to trials delegated with the inquisitorial rite of the Council of Ten, which required the secrecy of witnesses.

102 Also called open to distinguish it from the inquisitorial trial.

103 The succession of the two forms of interrogation also seem to have been present in the trials held in the court of the Torrone of Bologna, cf. Angelozzi, Casanova, 2008, 492–496.

serious crimes. The *costituto opposizionale* became the trial space allowing the judge to get around the limits imposed by tradition, and so to conduct a real interrogation of the defendant. In this way what can be called an authentic inquiry was formalized, expressing the aims of the new criminal trial and some of the instances that had emerged with the start of punitive justice. Thus, the two phases of the trial, informativo and offensivo, were in the end united in the new role played by the judge and in the creation of a different relationship of power respect to the position of the defendant.[104]

The emergence of an authentic investigation very soon came to reflect on the existence of the age-old trial institutions, whose goal, as we have already seen, was to guarantee the more significant and direct involvement of the parties. Particular forms of defence, like *per patrem* or *per procuratore defence*, were excluded from the open *servatis servandis* trial, as was the defendant's possibility to defend him/herself by separating the accusation of premeditation from that of simple homicide (pure homicide). An institution like the *piezaria* with its surety bond (a sort of bail) was excluded in all homicide cases, thereby making it impossible for the defendant to defend him/herself while out of prison.[105] The same thing happened to the pecuniary penalty and traditional banishment,[106] which in cases of homicide often aimed to facilitate a settlement between the hostile groups.

Taken together, the old procedural and penal institutions had for centuries guaranteed the peaceful settlement of ongoing feuds. However, in this new phase of the administration of justice they were viewed as an interference in the search for truth in the trial. The structure of the former defensive trial remained substantially intact, even if the changes in the previous phases and in the overall idea of justice itself removed the primary aim of reaching a true settlement of the conflict from the cross-examination of parties and from the role of attorneys.

Thus, feuds met with vigorous acts aimed at limiting and controlling them. Their underlying logic and their very legal essence was weakened. This political and cultural process was to become more intense at the end of the 17th century, when a series of laws passed by the Council of Ten between 1680 and 1682 emphasized the new dimension of criminal justice: all cases of homicide, whether committed in Venice or in the rest of the state, were to be reported to the highest Venetian organ, which would then address them through a *servatis servandis* proxy to the various courts. Thus, a crime that had for centuries been the distinguishing mark of local feuds was essentially removed from local group and kinship dynamics (Povolo, 2004b, 25 and ff; Povolo, 2007, 49).

Between the 17th and 18th centuries the predominance of the new criminal trial can be seen in almost all the lands of Italy in the spread of unprecedented publications on *Pratiche criminali* (Criminal practices) which, in contrast with those of the previous century, were mainly written by court professionals and judges working within the sphere of the

104 This way of proceeding was obviously different from the traditional *inquisitio*, which did not deeply interfere with an idea of trial understood as a set of rites aimed essentially at underscoring the community's cultural values and mitigating the most violent and dangerous aspects of feud.

105 An institution similar to that of the security bond which characterizes today's accusatorial procedures.

106 That is, banishment based on statutory provisions, which involved the expulsion of the defendant from the city, the territory and the customary 15 miles beyond the border.

new procedures. These were works by and large lacking the theoretical tension that had characterized 16th-century works and which referred directly to the concrete judicial practice of the courts. Aimed at legal professionals, or in any case a narrow readership, they were very successful, testifying to the importance by then given to the sphere of criminal law in political and social life.[107] The distinctive feature of these works is the attention they pay to the judicial cases and precedents of the new criminal justice, clearly used to affirm its prerogatives and prevalence.

From the late medieval to late modern times, the interrelations between trial rites and the dynamics of feud grew more and more intense and underwent significant changes. Following profound political and social transformations, judicial procedures encompassed the development of conflicts more and more incisively. Obviously, certain displays and episodes of a particularly violent nature, recalling the old feuds, were recorded as late as the end of the modern period, but on the cultural plane the appeal of vendetta and the force of honour began to lose the legitimacy they had enjoyed in previous centuries.[108]

As a great Venetian intellectual acutely remarked towards the end of the 18th century in regard to the violence that had characterized the feud in prior centuries, a new sensibility had by then come to the fore:

> *In the present age the social facility of conversation, joined to its mellow way of life, though it has opened the door to other disorders, has however extinguished many of the old ones, having made man's heart less fierce, and less threatened the cloisters of sacred virgins and the occasions of violent abduction of women (Povolo, 1996, 64).*

SOME CONCLUDING REMARKS

The challenge to the vendetta, understood as a genuine legal and cultural system that regulated the organization of conflict and represented an essential instrument of social control, was a phenomenon of great import that involved most European countries. This phenomenon was openly reflected in the sphere of public law and rhetoric by the open condemnation of violent actions that clearly showed signs of retaliation, while the cultural and ideological context that had produced them and constituted their essence was by and large not made explicit.[109]

As we have noted more than once, the adoption of very strict inquisitorial procedures, whose primary goal was to interfere decisively in the logic underlying feud, was the instrument by which European states imposed a different concept of public order and new

107 Such as, for instance, Savelli, 1681; Mirogli, 1758; Briganti, 1770, for which cf. Bellabarba, 2001. For Bologna, the two works of the uditore Gian Domenico Rinaldi, who worked in the court of the Torrone in the 1670s, cf. Angelozzi, Casanova, 2008, 375 and ff. Clearly different are the 16th-century *practicae* that Mario Sbriccoli indicated as a visible witness of the successful establishment of hegemonic justice. These were works that only marginally involved procedure, cf. Sbriccoli, 2009, 175–177.

108 In reference to 18th-century society and the new sensibility that led to the emergence of the phenomenon of the lady's escort in southern Europe, see Povolo, 2012.

109 Some examples are found in Povolo, 1997, 293–299.

forms of social control. But it would be rather misleading to attribute to the intervention of the central powers the whole initiative in a process that was clearly in act at the political and social level of European society. As we have already remarked, these powers were driven by requests and pressures coming from social sectors that required forms of control and order that could ensure both social peace and commerce.

Historiography has focused on the great transformation that characterized 17th and 18th century society, emphasizing in different ways the aspects that were decisive in the imposition of a new concept of order and justice.[110] What is more, philosophers and sociologists have dwelt on the diverse theories of criminal law that have arisen from the 19th century on.[111] Barbara Hudson has well summed up the theories of authors like Durkheim, Marx, Rusche-Kirchheimer[112] and Foucault, who have tried to interpret the social, cultural and economic factors that underlay these transformations:

> *The system they are describing and seeking to explain was a system of state punishment; a system in which imprisonment became the normal mode of punishment; a system which became less concerned with tormenting the body and more with disciplining the mind and character; a system which had a demonstrable relationship with the demand for labor [...]. Whether the aim of penalty is identified as normalization, and its character as disciplinary, or whether the aim is thought of a simple regulation of the labor supply, or whether the key characteristic is taken to be that it is increasingly secular and constitutional, we can readily perceive the contours of the penal system found in industrial democratic societies, and we can recognize that this modern penal system is different in important, defining ways from penal systems that preceded it (Hudson, 2003, 153–154).*

If we examine the great transformations that influenced the history of crime and of criminal justice in the modern and contemporary periods, focusing especially on the ways conflicts were organized and on the values and ideology that characterized them on the level of social control, one of the most important things that stands out is the significant delegitimization of the practice of vendetta and the political weakening of the contexts that considered it a determining and essential instrument for maintaining social equilibrium and control.[113] The use of inquisitorial procedures and severe punishments on

110 A summary focusing on a comparison between the theses of Foucault and Elias is offered by Spierenburg, 2004b.

111 A clear and efficacious summary is found in Hudson, 2003.

112 The text of G. Rusche and O. Kirchheimer: *Punishment and Social Structure*, which first appeared in 1938 and has undergone numerous re-editions (important is the New York 1968 edition) and is clearly Marxist in its approach, proposes a direct correlation between the labour market and the evolution and severity of punishments. Covering a long period (from the 13th century to the advent of capitalism), Rusche particularly held that the greater or lesser severity of punishment was a direct consequence of the greater or lesser availability of the workforce. This correlation may seem mechanical at first sight, but it appears more well-founded if examined in all its social and cultural implications.

113 A thesis emphatically proposed by Black, 1983. He remarks: "Much of the conduct described by anthropologists as conflicts managements, social control, or even law in tribal and other traditional societies

the part of the central powers was probably the consequence of the economic and demographic changes which, above all from the 16th century on, involved the majority of European countries. The system founded on feud and vendetta found its *raison d'être* in community contexts characterized by shared decision-making and by certain specific factors, among which custom and juridical pluralism were the most outstanding (Rouland, 1992, 196–200).

Invested by increasingly significant geographical and economic mobility, 16th century society had to adopt new parameters of order and social control. As has been stated by Henry Kamen:

> *Traditional communities, anxious to conserve their social norms and good order, attempted to correct divergent behaviour and remedy failures of conduct. In a changing world, the means to achieve this were not always available: policing systems, where they existed, had limited authority. Moreover, there were no commonly accepted norms about what represented incorrect behaviour, or in what way it could be regulated. Long before the sixteenth century, small societies in Europe had used their local processes of control to regulate conflict and instability (Kamen, 2000, 173).*

Only the central powers could ensure control over so vast and politically fragmented a territory, where there were phenomena felt to be extremely dangerous, such as vagrancy, pauperism and banditry. Nor is it by chance that the judicial activity that was equipped with inquisitorial rites was directed above all at controlling and repressing aristocratic violence as well as the attacks and robbery that threatened the security of highways and private property.

Thus, it was inevitable that the system of feud and vendetta that characterized the life of the communities and the social groups and lineages that had traditionally used it should in the end be traumatically involved, along with the system of custom and the judicial procedures that had for centuries marked it.

This political and cultural process did not actually involve all European societies. Not directly influenced by great economic and demographical changes, some areas around the Adriatic and the Mediterranean – in countries for instance like Montenegro, Albania and Greece – in large part kept their customs (Kanun) and an organization of conflict founded essentially on the vendetta system up to the 20th century (Trifa, 2008; Resta, 2002).[114] This was a system whose ideal roots lay in ancient early medieval customs, though it is clear that the features and changes that over the centuries distinguished it had been able to interact actively with the social context of non-intrusive po-

is regarded as crime in modern societies. This is especially clear in the case of violent modes of redress such as assassination, feuding, fighting, maiming and beating, but it also applies to the confiscation and destruction of property and to other forms of deprivation and humiliation" (Black, 1983, 34).

114 In 1781–1782 the Venetian superintendant in Dalmatia and Albania, Paolo Boldù, wrote his *Osservazioni sopra li modi con cui li Veneziani avrebbero potuto render più fermo il loro possesso della Morea*, in which he tellingly describes the widespread system of vendetta existing in the Adriatic and Mediterranean area, cf. BNM, ms. cl. IV, cont. 193 (443). On Boldù's text, refer to Viggiano, 1998.

litical systems like the Ottoman Empire and the Venetian Republic. The long continuity of the feud and the vendetta in these areas suggests the extreme complexity of a cultural and juridical system which, in varying degrees and modes, profoundly influenced the European social context.

FAJDA IN MAŠČEVANJE MED OBIČAJI IN PRAVDNIMI POSTOPKI V SREDNJEVEŠKI IN NOVOVEŠKI EVROPI. ANTROPOLOŠKO-PRAVNI PRISTOP

Claudio POVOLO

Univerza Ca' Foscari v Benetkah, Oddelek za humanistiko, Dorsoduro 3484/D, 30123 Venezia, Italija

e-mail: clpovolo@gmail.com

POVZETEK

V članku je uporabljen interdisciplinarni pristop za razumevanje različnih vidikov družbenih praks, ki so, čeprav pod različnimi poimenovanji, kot fajda ali maščevanje, imele isti cilj, in sicer ureditev rabe sile ter osnovanje prvega pravega instrumenta družbenega nadzora. Avtor se v svojem razmišljanju sprva nasloni na nekaj nedavnih študij, opravljenih v nekaterih evropskih državah, npr. v Nemčiji, Franciji, Veliki Britaniji in Italiji v srednjem in novem veku, nato pa osvetli nekaj novih raziskovalnih smeri, ki imajo za cilj globlje preučiti odnos med postopki, značilnimi za maščevanje, ter sodnimi postopki, ki so maščevanje urejali v okviru javnih inštitucij.

V prvem delu članka so predstavljeni zapleteni in pogosto težko opredeljivi odnosi med svetom običajev in svetom, osredotočenim na specialistično in pretežno pisno pravo, ki se uveljavlja od druge polovice 12. stoletja dalje z uvedbo občega prava (ius commune) v različnih evropskih državah. Avtor posebej preuči pravdne postopke, ki so hitro asimilirali in nato na najrazličnejše načine naprej razvijali sodno tradicijo običajnega prava, močno prežeto s fajdo in s potrebo po obvladovanju konfliktov znotraj skupnosti. Namen pravd, v katere so se vpletala številna dejanja miru, posebne vrste pozivov ter kazni, kot sta denimo izgon ali globa, je bil olajšati reševanje sporov.

V drugem delu članka so analizirane spremembe, do katerih je od 16. stoletja dalje prihajalo v večjem delu evropskih držav z uvedbo pravih zasliševalnih postopkov, z bojem proti razbojništvu in uveljavitvijo stroge kaznovalne pravice, ki se je nanašala na zelo obsežna ozemlja. Prav te novosti so najprej oslabile, nato pa izničile sistem fajd, ki je dotlej imel posredovalno vlogo med običaji in pravdnimi postopki ter izražal močan pomen vrednot, kot sta čast in sorodstvo. Tovrstne spremembe nakazujejo drugačno legitimnost sile na ozemljih, meje katerih se od 16. stoletja naprej zaznavajo na osnovi reda in oblasti, ki zaznamujeta rojstvo novih držav, pa tudi potrebo različnih družbenih področij, da omejijo pojave, ki so se šteli za nevarne, denimo, potepuštvo, beraštvo in razbojništvo.

Ključne besede: maščevanje, običaji, pravo, mir, pravda, pravica

SOURCES AND BIBLIOGRAPHY

Aladjem, T.K. (2008): The Culture of Vengeance and the Fate of American Justice. Cambridge, Cambridge University Press.

Aymard, M. (1987): Amicizia e convivialità. In: Ariès, P., Duby, G. (eds.): La vita privata dal Rinascimento all'Illuminismo. Roma, Bari, Laterza, 357–392.

Angelozzi, G., Casanova, C. (2008): La giustizia criminale in una città di antico regime. Il tribunale del Torrone di Bologna (secc. XVI–XVIII). Bologna, Clueb.

Bellabarba, M. (1996): La giustizia ai confini. Il principato vescovile di Trento agli inizi dell'età moderna. Bologna, il Mulino.

Bellabarba, M. (2001): Informazioni e fatti. Casi di storia del processo penale nell'Italia centro-settentrionale (secoli XVI–XVII). Storica, VII, 158–163.

Bellabarba, M. (2008): La giustizia nell'età moderna. Roma, Bari, Laterza.

Bellabarba, M., Schwerhoff, G., Zorzi, A. (eds.) (2010): Criminalità e giustizia in Germania e in Italia. Pratiche giudiziarie e linguaggi giuridici tra tardo medioevo ed età moderna. Bologna, il Mulino.

Bellomo, M. (1995): The Common Legal Past of Europe, 1000–1800. Washington, D.C., CUA Press.

Berman, H.J. (1983): Law and Revolution. I, The Formation of the Western Legal Tradition. Cambridge (Mass.), London, Harvard University Press.

Berman, H.J. (2003): Law and Revolution, II. In: The Impact of the Protestant Reformations on the Western Legal Tradition. Cambridge (Mass.), London, Harvard University Press, 131–155.

Black, C. (2001): Early Modern Italy. A Social History. London, Routledge.

Black, D. (1983): Crime and Social Control. American Sociological Review, 48, 34–45.

Blok, A. (1975): The Mafia of a Sicilian village, 1860–1960. A Study of Violent Peasant Entrepreneur. London, New York, Harper & Row.

Blok, A. (2001): Honour and Violence. Cambridge, Wiley.

BNM – Biblioteca Nazionale Marciana, Venezia.

Boehm, C. (1984): Blood revenge. The anthropology of feuding in Montenegro and other tribal societies. Philadelphia, University of Pennsylvania Press.

Bossy, J. (2004): Peace in the Post-Reformation. Cambridge, New York, Cambridge University Press.

Braddick, M. (2004): State Formation in Early Modern England, c. 1550–1700. Cambridge, Cambridge University Press.

Briganti, T. (1770): Pratica criminale delle corti regie e baronali del Regno di Napoli. Napoli, per Vincenzio Mazzola-Vocola.

Bromberg, C., Durand, J.-Y. (2001): Faut-il-jeter la Méditerranée avec l'eau du bain. In: Albera, D., Blok, A., Bromberger, C. (eds.): L'anthropologie de la Méditerranée. Anthropology of the Mediterranean. Paris, Maissonneuve et Larose, 733–756.

Brundage, J.A. (2008): The medieval origins of the legal profession. Canonists, civilians and courts. Chicago, London, University of Chicago Press.

Cameron, E. (2010): Enchanted Europe. Superstition, Reason and Religion, 1250–1750. Oxford, Oxford, University Press.

Cantarella, E. (2007): Il ritorno della vendetta. Pena di morte: giustizia o assassinio? Milano, Rizzoli.

Carroll, S. (2006): Blood and Violence in Early Modern France. Oxford, New York, Oxford University Press.

Carroll, S. (2012): Review of Zmora Hillay, The Feud in Early Modern Germany. H-HRE, H-Net Review (October 2012).

Casey, J. (1989): The History of the Family. Oxford, Blackwell.

Cerutti, S. (2003): Giustizia sommaria. Pratiche e ideali di giustizia in una società di Ancien Régime (Torino XVIII secolo). Milano, Feltrinelli.

Colman, R.V. (1974): Reason and Unreason in Early Medieval Law. The Journal of Interdisciplinary History, 4, 4, 571–591.

Covino, L. (2013): Governare il feudo. Quadri territoriali, amministrazione, giustizia. Calabria citra (1650–1800). Milano, Franco Angeli.

Cozzi, G. (2000): La società veneta e il suo diritto. Saggi su questioni matrimoniali, giustizia penale, politica del diritto, sopravvivenza del diritto veneto nell'Ottocento. Venezia, Marsilio.

Damaška, M. (1986): The faces of justice and state authority. New Haven, Yale University Press.

Davies, W., Fouracre, P. (eds.) (1986): The Settlements of Disputes in Early Medieval Europe. Cambridge, Cambridge University Press.

Davis, J. (1977): People of the Mediterranean: an Essay in Comparative Social Anthropology. London, Routledge & Kegan Paul.

Dean, T. (1997): Marriage and Mutilation: Vendetta in Late Medieval Italy. Past and Present, 157, 3–36.

Dean, T. (2007): Crime and Justice in Late Medieval Italy. Cambridge, Cambridge University Press.

De Benedictis, A. (2001): Politica, governo e istituzioni nell'Europa moderna. Bologna, il Mulino.

Dewald, J. (1993): Aristocratic Experience and the Origins of Modern Culture. France, 1570–1715. Berkeley, University of California Press.

Fioravanti, M. (ed.) (2002): Lo stato moderno in Europa. Istituzioni e diritto. Roma, Bari, Laterza.

Fosi, L. (1985): La società violenta. Il banditismo nello stato pontificio nella seconda metà del Cinquecento. Roma, Edizioni dell'Ateneo.

Friedman, L. (1987): Il sistema giuridico nella prospettiva delle scienze sociali. Bologna, il Mulino.

Garlati Giugni, L. (1999): Inseguendo la verità. Processo penale e giustizia nel Ristretto della prattica criminale per lo stato di Milano. Milano, Giuffré.

Gentile, M. (2007): La vendetta di sangue come rituale. Qualche osservazione sulla Lombardia fra Quattro e Cinquecento. In: Salvestrini, F., Varanini, G.M., Zangarini,

A. (eds.): La morte e i suoi riti in Italia tra Medioevo e prima età moderna. Firenze, Firenze University Press, 209–241.

Gluckman, M. (1955): The Peace in the Feud. Past and Present, 8, 1–14.

Goddard, V.A. (1994): From Mediterranean to Europe: Honour, Kinship, Gender. In: Goddard, V.A., Llobera, J.R., Shore, C. (eds.): The Anthropology of Europe. Identity and Boundaries in Conflict. Oxford, Providence, Berg, 57–92.

Goody, J. (2000): The Power of the Written Tradition. Washington, London, Smithsonian Institution Press.

Gowing, L., Hunter, M., Rubin, M. (eds.) (2005): Love, Friendship and Faith in Europe, 1300–1800. New York, Palgrave Macmillan.

Grossman, J.H. (2002): The Art of Alibi. English Law Courts and the Novel. Baltimore, The Johns Hopkins University Press.

Halsall, G. (1999): Reflections on Early Medieval Violence: the Example of the 'Blood Feud'. Memoria y Civilizatión, 2, 7–29.

Hudson, B.A. (2003): Understanding Justice. An Introduction to Ideas, Perspectives and Controversies in Modern Penal Theories. Buckingam, Philadelphia, Open University Press.

Innes, M. (2000): State and Society in the Early Middle Ages. The Middle Rhine Valley, 400–1000. Cambridge, Cambridge University Press.

Johansen, J.C.V., Stevnsborg, H. (1986): Hasard ou myopie. Réflexions autour de deux théories de l'histoire du droit. Annales E.S.C., 41, 601–624.

Kamen, H. (2000): Early Modern European Society. London, New York, Routledge.

Kaminsky, H. (2002): The Noble Feud in the Later Middle ages. Past and Present, 177, 55–83.

Kent, D., (2004): The Power of the Elites: Family, Patronage, and the State. In: Najemy, J.M.: Italy in the age of Renaissance, 1300–1550. Oxford, Oxford University Press, 165–183.

Kuehn, T. (2009): Conflict Resolutions and Legal Systems. In: Lansing, C., English, E.D. (eds.): A Companion to the Medieval World. Malden, Oxford, Wiley-Blackwell, 335–353.

Lacché, L. (1998): "Ordo non servatus": anomalie processuali, giustizia militare e "specialia" in antico regime. Studi storici, XXIX, 361–384.

Langbein, J.H. (1974): Prosecuting Crime in the Renaissance. England, Germany, France. Cambridge (Mass.), Harvard University Press.

Leguay, J.P. (2000): Urban life. In: Jones, M. (ed.): The New Cambridge Medieval History, vol. VI, c. 1300–c.1415. Cambridge, Cambridge University Press, 102–123.

Lenman, B., Parker, G. (1980): The State, the Community and the Criminal Law in Early Modern Europe. In: Gatrell, V.A.C., Lenman, B., Parker, G. (eds.): Crime and the Law. The Social History of Crime in Western Europe Since 1500. London, Europa Publication, 11–48.

Lepori, M. (2010): Faide. Nobili e banditi nella Sardegna sabauda del Settecento. Roma, Viella.

Maffei, E. (2005): Dal reato alla sentenza. Il processo criminale in età comunale. Roma, Edizioni di Storia e Letteratura.

Mantecón, T.A. (1998): Meaning and Social Context of Crime in Preindustrial Times: Rural Societies in the North of Spain, 17th and 18th centuries. Crime, History and Societies, 2, 1, 49–73.

Marzari, G. (1593): La prattica e theorica del cancelliere. Vicenza, per Giorgio Greco.

Meccarelli, M. (2009): La dimension doctrinale du procès dans l'histoire de la justice criminelle: la leçon historiographique de Mario Sbriccoli. Crime, History and Societies, 13, 1, 73–89.

Mereu, I. (2000): La morte come pena. Saggio sulla violenza legale. Roma, Donzelli.

Miller, W.I. (1992): Bloodtaking and peacemaking. Feud, law and society in saga Iceland. Chicago, London, University of Chicago Press.

Miller, W.I. (1998): Clint Eastwood and equity: popular culture's theory of revenge. In: Sarat, A., Kearns, T.R. (eds.): Law in the domains of culture. Ann Arbor, The University of Michigan, 161–202.

Mirogli, F. (1758): Istruzioni teorico-prattiche criminali. Vol. 1: Tomo primo. Roma, stamperia di Generoso Salomoni.

Muir, E. (1993): Mad Blood Stirring. Vendetta and Factions in Friuli during the Renaissance. Baltimore, The Johns Hopkins University Press.

Najemy, J.M. (2004a): Italy in the age of Renaissance, 1300–1550. Oxford, Oxford University Press.

Najemy, J.M (2004b): Governments and Governance. In: Najemy, J.M.: Italy in the age of Renaissance, 1300–1550. Oxford, Oxford University Press, 184–207.

Netterstrøm, J.B. (2007): Introduction. The study of feud in Medieval and Early Modern Europe. In: Netterström, J.B., Poulsen, B. (eds.): Feud in Medieval and Early Modern Europe. Aarhus, Aarhus University Press, 9–67.

Österberg, E. (2010): Friendship and Love, Ethics and Politics. Studies in Medieval and Early Modern history. Budapest, New York, Central European University Press.

Padoa Schioppa, A. (1997): Conclusions: Models, Instruments, Principles. In: Padoa Schioppa, A. (ed.): Legislation and Justice. Oxford, Clarendon, 335–369.

Padoa Schioppa, A. (1999): Sur la conscience du juge dans le ius commune europèen. In: Carbasse, J.M., Depambour-Tarride, L. (eds.): La conscience du juge dans la tradition juridique européenne. Paris, Puf, 95–129.

Petkov, K. (2003): The Kiss of Peace. Ritual, Self and Society in the High and Late Medieval West. Leiden, Boston, Brill.

Pigliaru, A. (1959): La vendetta barbaricina come ordinamento giuridico. Milano, Giuffré.

Pitt-Rivers, J. (1966): Honour and social status. In: Peristiany, J.G. (ed.): Honour and Shame. The Values of Mediterranean Society. Chicago, London, University of Chicago Press.

Pitt-Rivers, J. (1977): The Fate of Shechem or the Politics of Sex. Essays in the Anthropology of the Mediterranean. Cambridge, Cambridge University Press.

Porláksson, H. (2007): Feud and Feuding in the Early and High Middle Ages. Working descriptions and continuity. In: Netterström, J.B., Poulsen, B. (eds.): Feud in Medieval and Early Modern Europe. Aarhus, Aarhus University Press, 69–94.

Povolo, C. (1996): Il processo Guarnieri. Buie-Capodistria, 1771. Koper, Società storica del Litorale.

Povolo, C. (1997): L'intrigo dell'onore. Poteri e istituzioni nella Repubblica di Venezia tra Cinque e Seicento. Verona, Cierre.

Povolo, C. (2004a): La vittima nello scenario del processo penale. Dai crimini senza vittime all'irruzione della vittima nel dibattito sociale e politico. Acta Histriae, 12, 1, I–XVI.

Povolo, C. (2004b): Retoriche giudiziarie, dimensioni del penale e prassi processuale nella Repubblica di Venezia: da Lorenzo Priori ai pratici settecenteschi. In: Chiodi, G., Povolo, C. (eds.): L'amministrazione della giustizia penale nella Repubblica di Venezia, secoli XVI–XVIII, 1. Verona, Cierre, 19–170.

Povolo, C. (2004c): Il romanziere e l'archivista. Da un processo veneziano del Seicento all'anonimo manoscritto dei Promessi Sposi. Verona, Cierre Edizioni.

Povolo, C. (2007): Dall'ordine della pace all'ordine pubblico. Uno sguardo da Venezia e il suo stato territoriale (secoli XVI-XVIII). In: Povolo, C. (ed.): Processo e difesa penale in età moderna. Venezia e il suo stato territoriale. Bologna, il Mulino, 15–107.

Povolo, C. (2009): Honour and Virtù in a Sixteenth-Century Aristocratic Republic. In: Beltramini, G. (ed.): Andrea Palladio and the Architecture of Battle, with the unpublished edition of Polybius' Histories. Venezia, Marsilio, 245–271.

Povolo, C. (2011): Zanzanù. Il bandito del lago (1576–1617). Brescia, Comune di Tignale.

Povolo, C. (2012): Honi soit qui mal y pense (or the best interpretation of events). Alcune riflessioni intorno al tema del serventismo. In: Manzatto, M.: Il tricorno e il ventaglio. Poteri e relazioni tra i sessi nell'aristocrazia veneta del Settecento. Verona, Cierre, 7–28.

Povolo, C. (2013): Liturgies of Violence. Social Control and Power Relationships in the Republic of Venice between the Sixteenth and Eighteenth Centuries. In: Dursteler, E. (ed.): A Companion to Venetian History, 1404–1797. Leiden, Brill, 513–542.

Povolo, C. (2014): La giusta vendetta. Il furore di un giovane gentiluomo del Cinquecento. In: Fornasin, A., Povolo, C. (eds.): Per Furio. Studi in onore di Furio Bianco. Udine, FORUM Editrice Universitaria Udinese, 179–195.

Raggio, O. (1990): Faide e parentele. Lo stato genovese visto dalla Fontanabuona. Torino, Einaudi.

Resta, P. (2002): Pensare il sangue. La vendetta nella cultura albanese. Roma, Maltemi.

Rigaudière, A. (2000): The Theory and Practice of Government in Western Europe in the Fourteenth Century. In: Jones, M. (ed.): The New Cambridge Medieval History, vol. VI, c. 1300–c.1415. Cambridge, Cambridge University Press, 17–41.

Roche, D. (2007): Retribution and restorative justice. In: Johnstone, G., Van Ness, D.W. (eds.): Handbook of Restorative Justice. Cullompton, Portland, Devon, Willan Publishing, 75–90.

Rouland, N. (1992): Antropologia giuridica. Milano, Giuffré.

Rousseaux, X. (1993): Initiative particulière et poursuite d'office. L'action pénale en Europe (XIIe–XVIIIe siècles). International Association for the History of Crime and Criminal Justice – IAHCCJ bulletin, 18, 58–92.

Rousseaux, X. (1997): Crime, Justice and Society in Medieval and Early Modern Times: Thirty Years of Crime and Criminal Justice History. Crime, History and Societies, 1, 1, 87–118.

Rousseaux, X. (2006): Historiographie du crime et de la justice criminelle dans l'espace français (1990–2005). Crime, History and Societies, 10, 1, 123–158.

Rousseaux, X. (2010): Construction et stratégies: le crime et la justice entre production politique et ressources communautaires. In: Bellabarba, M., Schwerhoff, G., Zorzi, A. (eds.): Criminalità e giustizia in Germania e in Italia. Pratiche giudiziarie e linguaggi giuridici tra tardo medioevo ed età moderna. Bologna, il Mulino, 327–343.

Royer, J.P. (2001): Histoire de la justice en France. Paris, Puf.

Rubin Blanshei, S. (2010): Politics and Justice in Late Medieval Bologna. Leiden, Boston, Brill.

Ruff, J.R. (2004): Violence in Early Modern Europe, 1500–1800. Cambridge, Cambridge University Press.

Rusche, G., Kirchheimer, O. (1968): Punishment and Social Structure. New York, Russell & Russell.

Sarat, A. (2002): When Memory Speaks: Remembrance and Revenge in The Unforgiven. In: Minow, M. (ed.): Breaking the Cycles of Hatred: Memory, Law, and Repair. Princeton, Paperback, 236–259.

Savelli, M. (1681): Pratica universale. Firenze, Vincenzo Vangelisti.

Sbriccoli, M. (2009): Giustizia criminale. In: Sbriccoli, M.: Storia del diritto penale e della giustizia. Scritti editi e inediti (1972–2007). Vol. 1. Milano, Giuffré, 3–44.

Shoemaker, K. (2011): Sanctuary and Crime in the Middle Ages, 400–1500. New York, Fordham University Press.

Schwerhoff, G. (2002): Criminalized Violence and the Process of Civilisation: a reappraisal. Crime, History and Societies, 6, 2, 103–126.

Schwerhoff, G. (2004): Social Control of Violence, Violence as Social Control: the Case of Early Modern Germany. In: Roodenburg, H., Spierenburg, P. (eds.): Social control in Europe, I, 1500–1800. Columbus, Ohio State University Press, 220–246.

Shell, A. (2007): Oral Culture and Catholicism in Early Modern England. Cambridge, Cambridge, University Press.

Smail, D.L. (1996a): Factions and Vengeance in Renaissance Italy. A Review Article. Comparative Studies in Society and History, 38, 781–789.

Smail, D.L. (1996b): Common Violence: Vengeance and Inquisition in Fourteenth-Century Marseille. Past and Present, 151, 1, 28–59.

Smail, D.L., Gibson, K. (eds.) (2009): Vengeance in Medieval Europe: a Reader. Readings in Medieval Civilizations and Cultures. Toronto, University of Toronto Press.

Spierenburg, P. (2004a): Social Control and History: an Introduction. In: Roodenburg, H., Spierenburg, P. (eds.): Social Control in Europe, 1500–1800. Columbus, Ohio State University Press, 1–22.

Spierenburg, P. (2004b): Punishment, Power and Elias. Social Science History, 28, 4, 607–636.

Stein, P. (1984): Legal Institutions: the Development of Dispute Settlemen. London, Butterworths.

Stone, L. (1977): The Family, Sex and Marriage in England, 1500–1800. New York, Weidenfedl & Nicolson.

Tadmor, N. (2004): Family and Friends in Eighteenth-Century England. Household, Kinship and Patronage. Cambridge, Cambridge University Press.

Taruffo, M. (2009): La semplice verità. Il giudice e la costruzione dei fatti. Bari, Laterza.

Tilly, C. (2005): Trust and Rule. Cambridge, Cambridge, University Press.

Thornton, D.E. (2009): Communities and kinship. In: Stafford, P. (ed.): Early Middles Ages. Britain and Ireland c. 500–1100. Oxford, Blackwell, 91–106.

Throop, S.A., Hyams, P.R. (eds.) (2010): Vengeance in the Middle Ages: Emotion, Religion and Feud. Farnham, Ashgate.

Trifa, F. (2008): Vengeance is Mine. Justice Albanian Style. Chapel Hill, Globic Press.

Tuten, B.S., White, S.D., Billado, T.L. (eds.) (2010): Feud, Violence and Practice. Essays in Medieval Studies in Honour of Stephen D. White. Farnham, Ashgate.

Vallerani, M. (2005): La giustizia pubblica medievale. Bologna, il Mulino.

Van Caenegam, R.C. (1995): Introduzione storica al diritto privato. Bologna, il Mulino.

Vianello, A. (2009): Gli archivi del Consiglio dei dieci. Memoria e istanze di riforma nel secondo Settecento veneziano. Padova, Il Poligrafo.

Viggiano, A. (1998): Lo specchio della Repubblica. Venezia e il governo delle Isole Ionie nel Settecento. Verona, Cierre Edizioni.

Wilson, S. (1988): Feuding, Conflict and Banditry in Nineteenth-Century Corsica. Cambridge, Cambridge University Press.

Wormald, J. (1980): Bloodfeud, Kindred and Government in Early Modern Scotland. Past and Present, 87, 54–97.

Ziegler, V.L. (2004): Trial by Fire and Battle in Medieval German Literature. New York, Camden House.

Zmora, H. (2011): The Feud in Early Modern Germany. Cambridge, Cambridge University Press.

Zorzi, A. (2002): La cultura della vendetta nel conflitto politico in età comunale. In: Delle Donne, R., Zorzi, A. (eds.): Le storie e la memoria. In onore di Arnold Esch. Firenze, Firenze University Press, 135–170.

Zorzi, A. (2008): Le trasformazioni di un quadro politico. Ricerche su politica e giustizia a Firenze dal comune allo Stato territoriale. Firenze, Firenze University Press.

Received: 2015-05-26 UDC 398.3:781.7(574)
Original scientific article

WORLD MODELING ELEMENT IN SPIRITUAL CULTURE DETERMING THE CONCEPTUAL PICTURE OF THE WORLD OF TRADITIONAL KAZAKH MUSIC

Altynay JUMAGALIYEVA
Kazakh National Academy of Arts named after T. Zhurgenov,
050000, Almaty, Kazakhstan,127, Panfilov street
e-mail: altyn_ai1983@mail.ru

Karima SAKHARBAYEVA
Kazakh National Conservatory named after Kurmangazy
050000, Almaty, Kazakhstan, 86, Abylai Khan Ave
e-mail: karima5252@mail.ru

Aigul ULKENBAYEVA
Kazakh National Conservatory named after Kurmangazy
050000, Almaty, Kazakhstan, 86, Abylai Khan Ave
e-mail: guka020@inbox.ru

Svetlana JANSEITOVA
Kazakh National Conservatory named after Kurmangazy
050000, Almaty, Kazakhstan, 86, Abylai Khan Ave
e-mail: bntb@mail.ru

ABSTRACT

This article analyzes the conceptual picture of the world of traditional Kazakh music, determining its place in worldview structure within the living environment of the ethnos as a form of practical and spiritual world acquisition with explication of national identity. Cognitive analysis method consists in revelation of concepts in conceptual and linguistic picture of world; conceptual analysis, covering etymological analysis, which allowed us to trace the evolution of the concept content, starting with an analysis of its "inner form" and ending with the analysis of the current content. One of the most important factors determining the ethnic features of Kazakh world image is a unique harmony of man and the universe, man and culture, man and society. It is therefore appropriate to resort to culturological method of research. One of the major research objectives is «immersion» into a historically distant culture, and the hermeneutic method becomes a means of cognition of the "code" of culture. Method of etymological analysis allowed us to reveal cultural information hidden from modern man.

Key words: traditional Kazakh music world picture, concept and conceptual world view, bearers of traditional Kazakh music, creative functions of sal and seri and their distinctive features

L'ELEMENTO DI MODELLAZIONE DEL MONDO NELLA CULTURA SPIRITUALE CHE DEFINISCE IL QUADRO CONCETTUALE DEL MONDO DELLA MUSICA TRADIZIONALE KAZAKA

SINTESI

Il contributo analizza il quadro concettuale del mondo della musica tradizionale kazaka, definendo la sua posizione nella struttura della visione del mondo all'interno dell'ambiente di vita dell'etnia come forma di apprendimento del mondo pratico e spirituale con spiegazione dell'identità nazionale. Il metodo dell'analisi cognitiva consiste nel rivelare i concetti del quadro concettuale e linguistico del mondo; l'analisi concettuale, che comprende anche l'analisi etimologica, ci ha permesso di tracciare l'evoluzione del contenuto concettuale, dall'analisi della sua "forma interna" all'analisi del suo contenuto attuale. Uno dei principali obiettivi di ricerca è stata "l'immersione" in una cultura storicamente distante, con il metodo ermeneutico a offrirsi quale mezzo per conoscere il "codice" di questa cultura. Il metodo dell'analisi etimologica ci ha permesso di scoprire informazioni culturali nascosti all'uomo moderno.

Parole chiave: il quadro del mondo della musica tradizionale kazaka, concetto e visione concettuale del mondo, portatori della musica tradizionale kazaka, funzioni creative di sal e di seri e le loro caratteristiche distintive

INTRODUCTION

Spiritual renewal is impossible without mastering human values; therefore, it's important to study moral and spiritual culture of our ancestors. If the culture is viewed as an extended semiotic system, music and musical culture can be interpreted as a specific musical concept sphere, reflecting the features of the consciousness, perception, reproduction and transmission of musical information in culture. A certain musical concept sphere is created in the process of the development of culture, its musical phenomenon, with fixed typical elements forming a notion of socio-cultural features of the musical language of an era or culture. Musical culture is a unique reflection of cultural, psychological, philosophical, aesthetic, socio-political aspects of social organization and spiritual life, as the stages of its evolution are connected with the major milestones of ethnic history.

Describing the status of the problem, it should be noted that the conceptual picture of the world of our ancestors is one of the least studied philosophical systems. In modern scientific literature a number of fundamental issues related to the analysis of the theoretical status of the concept of conceptual picture of the world, is still insufficiently investigated. In our view, the notion "conceptual picture of the world" completely and objectively reveals the fundamental aspirations of our ancestors corresponding to their practical and moral needs. Accumulated empirical material in the field of ethnography, folklore, history and musicology contributed to reconstruction of the conceptual world

image, to identification of the mechanism of action of traditions and rituals in regulating the lifestyle.

In Kazakh world image, music plays a very unique role that along with the artistic value satisfying purely aesthetic needs of the ethnic group, it is a structuring core of culture, mental core of society. Such versatility gives grounds to consider the identity and uniqueness of the spiritual culture as a key world modeling element, able to independently and in substantial way define the conceptual picture of the world of Kazakh traditional music.

The subject of the study predetermines the need to describe the nature of concepts in musicological picture of the world; the analysis of the conceptual picture of the world of traditional Kazakh music, determining its place in worldview structure within the living environment of the ethnos as a form of practical and spiritual world acquisition with explication of national identity. The indicated purpose of study is determined by a mix of research methods and techniques. Cognitive analysis method consists in revelation of concepts in conceptual and linguistic picture of world; conceptual analysis, covering etymological analysis, which allowed us to trace the evolution of the concept content, starting with an analysis of its "inner form" and ending with the analysis of the current content. One of the most important factors determining the ethnic features of Kazakh world image is a unique harmony of man and the universe, man and culture, man and society. It is therefore appropriate to resort to culturological method of research. One of the major research objectives is «immersion» into a historically distant culture, and the hermeneutic method becomes a means of cognition of the "code" of culture. Method of etymological analysis allowed us to reveal cultural information hidden from modern language speaker. An etymological study of concepts revealed a change in semantics and scope of functioning, intertwining of different meanings, extending from its origin and scope of functioning.

For the first time the notion of a conceptual world picture of traditional Kazakh music was proposed, theoretically grounded and structured by defining its place in the worldview structure, reviewed in the context of life conditions of the ethnos as a form of practical and spiritual world acquisition with explication of national identity. For the first time Kazakh music was analyzed as a type of world image.

The hue of a definite linguistic and cultural commonness convey differences in naming musical genres, performers, instruments, range of emotional-evaluative and stylistic shades of performance. A study of a certain genre in general genre reference system, of the history of origins of the institute of performers opens the opportunities for reframing Kazakh culture. We view the semantic evolution of the traditional musical concepts as a result of their cultural and linguistic memory storing traces of Turkic view of the world. Comprehending the musical culture of Kazakhs, we cognize the values created in a particular historical epoch. A special attention is paid to the issue of correlation of the meanings of linguistic units with the concepts of national culture and general characteristics of the concept sphere of language. The figurative basis of traditional musicological concepts contributed to definition of the system of knowledge and understandings formed in the national world perception, universal and ethnical elements in the linguistic world image of Kazakh nation.

World image as a Conceptual Core of World Outlook

The notion of conceptual picture of the world falls into the number of fundamental categories which determine the specificity of a human and his/her existence, his/her relationship with the world. Conceptual world image, used in various meanings, is used to represent ideological structures that lie at the foundation of the culture of a particular historical epoch, characterizing the integrity of the worldview (Brown, 2003). Conceptual picture of the world is always an original outlook, its notional construction in accordance with certain logic of worldview, perception and attitude, combined in world image in a way specific for a given age and epoch.

Conceptual picture of the world has purely ethnic features, as it's determined, largely, by belonging of the subject of worldview to a particular national culture. National world image can be defined as grid of coordinates: the world that the nation seizes determines the universe (in ancient sense: formation of the world, world order) that it depicts in its art, or as a code which determines the features of national culture.

The property of the world image as the conceptual core of the worldview is in its cosmological orientation (it is a global image of the world) while being anthropomorphically oriented (it bears the features of specifically human way of world acquisition) (Aitchinson, 2012, 44). Concept is the sign of a specific world and many forms of thought reflecting the reality. A huge number of works is dedicated to study of the concept, and among them the most well-known are works Revveka Frumkina (1992), Anatoliy Babushkin(1996), Lyudmila Cherneiko (1997), Yuriy Stepanov (2007) et al. This issue is also studied in the works of foreign researchers: Ronald Langacker (1999), Anna Vezhbitskaya (1999), Ray Jackendoff (2002) et al.

Despite the variety of existing definitions of a concept, we can come forth with a common feature: they emphasize the idea of integrated study of language, consciousness and culture that is relevant to modern linguistics. Invariant features of a concept are: minimal unit of human experience in its ideal representation, verbalized by means of words and having a field structure; the principal unit of processing, storage and transmission of knowledge; the concept has moveable boundaries and specific functions; the concept is social, its field determines its pragmatics; it is the basic unit of culture (Maslova, 2004, 208). These characteristics are considered to be substantial and are reflected in our definition of concept: the concept is a mental construct, a domain of linguistic consciousness, which represents specifically structured body of knowledge about the denoted subject or phenomenon of reality and reflects nationally-structured specificity of vision and segmentation of the world.

A concept is a unit of an individual's mental space, and meaning is the unit of the language's semantic space. The linguistic meaning delivers only a part of the semantic content of the concept. The concept defines the semantics of the linguistic means of its expression. At the same time, the access to the definition and the description of the nature of the concept can only be obtained through the analysis of linguistic means of representation. The methodology of conceptual analysis is based on this important thesis of cognitive linguistics, which includes two approaches to the conduct thereof: from the



Figure 1. Kazakh musician. Artist Yeraly Ospanov.

selected concept to linguistic means of its expression; from the chosen key word, its semantics, to reconstruction of the studied concept. In this case a link between conceptual and semantic analysis is obvious: characteristics of the concept are revealed through the meanings of linguistic units representing them, their dictionary interpretations and particulars of combinability.

Being primary cultural entities, concepts form an image of the surrounding cultural reality in individual's consciousness, creating axiological picture of the world. National culture is preserved and transmitted by means of concepts of spiritual culture (Langacker, 1999). The concept is considered a phenomenon of linguocognitology, herewith using the notions "concept sphere", "information processing", "general fund of knowledge", "scheme", "frame" (Anatoliy Babushkin, 1996, 103); in cultural linguistics, concept is considered as constants of culture, cultural connotation, linguocultural unit (Arutyunova, 1998, 896).

From the linguoculturologic point of view, the concept is defined as: "a clot of culture in human mind"; "the form that the culture takes to enter the mental world of a human"; "verbalized cultural sense", "semantic unit of the "language" of the culture"; key word of culture, the pivot of the mentality; "a set of all valence links, nationally and culturally marked"; "a unit marked by ethno-cultural specificity".

As we see, many definitions of the concept have a common attribute, which is the fact that it's defined as: discrete, semantically dimensional unit; global unit of mental activity;

unit of collective consciousness marked by ethno-cultural specificity, consisting of the unity of three phenomena: language, culture, and consciousness. These approaches to the study of the concepts complement each other, because the concept as a mental creation in an individual's mind is an access to conceptual sphere, and ultimately – to national culture (Halliday, 1978, 139).

Clifford Geertz interprets concept as basic cultural unit in the mental world of a human which, from one hand, covers the content of the notion, and from the other – all that makes it a fact of culture – etymology, a brief history of this concept, modern associations, assessments, feelings (Geertz, 1973), is closest to the topic of our research.

The objectives of our study include linguoculturologic description of traditional musical concepts that are the core of the Kazakh culture as reference points of national mentality pertaining to the system of values of Kazakh linguistic culture.

DISCUSSION AND RESULTS

The creative process, the oral transmission of music, its fixation in pan-human cultural memory were possible due to the preserved linguistic and cultural concepts, that were used to express ideas and concepts about music that developed in Kazakh language over centuries. The conceptual picture of the world of traditional Kazakh music accumulated and transformed the spiritual experience of generations, a vast field of creative activity, knowledge and wisdom of the nation. In the analysis of traditional music we put forward as the main issue the issue of music's role in shaping world image and its main categories (life and death, time and space), which, in our opinion, determines the uniqueness of both Kazakh world image itself and music. It is due to the place of music that not only represents a world image in traditional society, but is present in it, defining its features.

In ethno-cultural traditions and scale of spiritual values, music has always held a special place because it has been containing the "knowledge of the ancestors" which evidences the sacred value that music played in culture. Music was an integral part of the clan life, musicians and singers were surrounded with great esteem, as they were considered to be intermediaries between the human world and the divine world. Music reflects the way of thinking of the nation that created it, its mental outlook, worldview, coloring the conceptual model of the music world into "national-cultural colors" through the system of its values and associations.

The diversity of the phenomena of musical culture is captured in a developed system of linguocultural concepts: names of genres, performers, instruments, acting as a kind of "self-reflection" of the culture; they have compacted the experience of musical past, which allows to study the most ancient ideas about music. All the potency of concepts form national concept sphere, national cultural information stored in knowledge bases of representatives of the nation.

It is music, or more precisely its traditional forms, was the essential element of ethnic memory and ethnic codification which preserved and reflected the peculiarities of the ethnogenesis of the Kazakhs and their ethnic history. Therefore, speaking about culture, we may define it as "music culture". The analysis of the conceptual picture of the world

shows that music, to the extent greater than in any other form of art, incorporates sacral information which forms “ethnic self”.

The above-mentioned implies that music has:

1. the ability to function as signs of culture and serves as means for representing the basic units of culture;
2. the ability to reflect cultural and national mentality of its bearers;
3. mediates the processes of musical reflection of reality and the mode of transmission of musical traditions;
4. reveals cultural significance of conceptual units of “musical knowledge”;
5. represents the main form of objectification of musical consciousness of many generations.

The linguocultural approach to the study of music will allow to describe:

1. the values of national culture, ethnic stereotypes, and the specificity of mentality, national character;
2. national peculiarity of sound reflection of the world – the importance of the cultural connotations, assessment features of which date back to the axiological system of national cultures;
3. specific cultural concepts that make up the content of conceptual model, axiological picture of the world, embodied in music, etc.

Summarizing the above, we shall give a definition of music, it is:

1. a dynamic phenomenon in continuous evolution;
2. a creative process, product of activity, woven from the spiritual uniqueness of nation;
3. the product of creative intellectual power of nation;
4. a way of expressing the world of sounds;
5. the method of apprehending the culture;
6. a potential model for cultural actions.

Thus, the study of characteristic features of the music world of Kazakhs requires consideration of purposeful aspects related to the understanding of the world by human and of his/her place in it, not what the world is, but what it means for a being living in it, to the process of creation of cultural values, their functioning in society, reproduction, storage and inter-generational transmission of cultural experience, as to the analysis of musical works. We consider conceptual picture of the world of Kazakhs traditional music based on common trends of development of musical culture. The complexity of the ethnic and historical processes on the way of national establishment and development produced its cultural uniqueness. Music, by representing the world picture, is directly present in it, specifying its features. It’s impossible to evaluate the depth and to understand the meaning of conceptual picture of the world of traditional music without knowledge of the history of our ancestors, their style of thinking.

In order to hear musical message of our ancestors, we need conductors, the people endowed with as strong and sublime talents, as the creators of *kyui*, *akzhelen*, *zhyr*, *tolgau* themselves, able to deeply comprehend all the riches hidden in the sounds of *dombra*, *kobyz*, *sybyzgy*, *zhetigen* and bring them to us. Performance is a creative, complex and



Fig. 2: Kazakh musician. Artist Yeraly Ospanov.

diverse process where the performer is the most important link in the complex informational and artistic process.

Creative Features of Professional Performers

For denotation of "the specialists" in the performing field of musical creativity, there is an unfolded system of concepts that have emerged in connection with the age stratification of Kazakh nomadic society: *anshi, olenshi, kyuishi, akyn, sal, seri, zhyrau, zhyrshe, termeshi, baqsy* – bearers of music tradition of the ethnic group, spokespersons of its historical memory and ideology. Having a high social status in society, they held a honorable and sacred place, because their worldview has always been defined by the link between cognition and self-realization of a human in the world.

In Kazakh picture of the world, the musician had the status of a wise mentor, spiritual father, the founder, ancestor, etc. The unity of creativity and lifestyle peculiar to the bearers of traditional music, mediating the content of life cycle stages is an ancient basis of Kazakh culture. The ecstasy of *baqsy*, subjective lyrics of *sal* and *seru*, the dramatism of *akyns*, impersonal wisdom of *zhyrau* – all of that is synthesized in their work.

Creative features of professional performers are connected with their status in the society, with the age characteristics, peculiar behavior. The art of *akyns* is judicious, filled with intellectual content; the creativy work of *zhyrau* is philosophically measured, restrained. In *sal* and *seri* behavior, conveying the spirit of youth, we feel looseness, freedom, emotional sensuality. The art of professional representatives of nomadic culture has a certain distinct style: the style of *sal* and *seri* is lyrical, that of *akyns* is dramatic, of *zhyrau* – epic. The magic field of activities of *sal* and *seri* affect personal and family karma. *Akyns*' activity is devoted to family and kinship relations (wedding and funeral rites), the regulation of social relationships within the ethnic group (*aitys*), the influence on the collective ancestral karma, organizing social relations through the astral world – *zhyrau*. *Zhyraus*' activities include global politics, military magic, the prediction of the outcome of military battles, the future of the nation, the impact on national karma, communication with spirits (ancestral spirits), with the mental world.

The primitive society formed types of magical figures that serve different needs, these include *baqsy*; in the period of class formations – the prototype of *sal*; the *akyn* type was formed in the era of development of clans and tribes; *zhyrau* – in the period of development of khanate, the formation of statehood. After completing the historical and cultural cycle, the culture of nomads forms a new type of creators of culture – the *Sufis*. *Sufi* musicians synthesized in their works the following: the ecstatic nature of *baqsy*, subjective lyrics of *sal* and *seri*, the dramatic nature of *akyns*, the wisdom of *zhyrau*. Spiritual and musical experience of traditional society included the sacred and artistic components.

In the activities of professional bearers, the ratio of these two categories has evolved, over the time the artistic element has become dominant. *Sal*, *seri*, *akyns*, *zhyrau* began to be perceived solely as artists. *Baqsy*, characterized by purely religious nature of activity, started to disappear.

We distinguish a special group among musicians – *sal* and *seri*, whose lyrical and song activities, singing of love and its wonderful manifestations, was aimed at the sphere of life which is very important for the society (creating family and consolidation of its traditions). Not accidentally, the society itself has sanctioned these musicians on certain violations of etiquette established for centuries.

The researchers Edyge Tursunov (2001) and M. Kurmangaliyeva (2005) emphasize the erotic function of these musicians determining the eccentricity, courtesy, "theatricality", artistry, knighthood, "aristocracy" of their behavior. *Sal* and *seri* performed educational function, instilling in young people the basics of steppe etiquette, which highlighted the mental and the spiritual beauty of love, the essence of harmony, eternity.

Destined to establish the "youth culture", the lifestyle in society, *sal* and *seri* reflected the interests of this very age group, but their function was not reduced to "entertainment" only. They performed an important function of renewal of the world, carried out the initiation of transition of an individual into the adult phase, from one state to another. The period of moving to adulthood is an important stage in every person's life, therefore, the second function of their activities is educational, consisting in teaching young people the skills and fundamentals of the steppe etiquette, which highlighted the mental and the spiritual beauty of love, the essence of the harmony, eternity. Lyrical and song activity of *sal* and *seri*, singing of love and its wonderful manifestations, was aimed at important social sphere of life – creation of family, consolidation of traditions.

Sal and *seri* surprisingly delicately and gently expressed the beauty of woman, her flying steps, a quick glance, iridescent laughter in their music; their works were fascinating by the sensual beauty. Having heard about this beauty, *sal* immediately set forward to see her, did everything to please the beauty: sang all night, danced, joked and made expensive gifts. Presenting his invaluable *argamak* horse to the girl's father, *sal* and *seri* occasionally reached homes on foot. Being a *sal* was rather costly. Being distinguished by the ability of special prosody, their art was differentiated by semantic orientation: courtly art – songs, dedicated to girls, young women; epic and didactic, praising the exploits of warriors, men's lyrical songs about wisdom, old age.

The Omnitude of Sal and Seri Creative Work

The first mention of *sal* and *seri* in the scientific literature as of "extravagant people of epicurean sense" is met in Aleksandr Zatayevich's works, giving a detailed description in the collection book titled "*1000 Songs of Kazakh People*". The author writes: "*Sal* is an eccentric, 'a swagger' of futuristic sense, a person, wishing to be distinguished from 'the ruck' by all means and appeal to it either by ornate suit, original manners, escapades or rich saddles and harness etc." (Zataevich, 1963).

Ahmet Zhubanov writes about *sal* and *seri* with great warmth and love. Emphasizing that *Tattimbet* was *seri*, the researcher interprets this word with a footnote "steppe actor" (Zataevich, 1963, 166). The scientist explains that *sal* and *seri* were real "men of art", the whole life "they felt like on stage" (Zhubanov, 1966, 21).

Sal and *seri*, as a rule, were wealthy people and had a few dozens of horses for travelling. Esmagambet Ismailov speaks about the universalism of *sal* and *seri* talents, and acquaints the reader with the specifics of their behavior: fandangle, craziness of *sals*, and on the contrary, chivalry and nobility of *seri*, the predominance of love theme in their works (Ismailov, 1992).

Sal and *seri* who appeared in pre-Muslim period were regarded as the exponents of universal norms of being, psychologists of human souls, by occupation they belonged to the artistic Bohemia.

Sal and *seri* were people of a special inner culture and moderation. There is a legend that says:

"Once a group of sal and seri who called themselves not otherwise but 'seksen seri' – eighty seri, appeared in the steppe. When they approached an aul, they took stand on dense thickets of reeds and started waiting a special invitation as is customary. One of the elders of aul, who refused to believe that they were all seri and said he had to check that, commanded the dzhigits to set the thicket to fire. When the dry reeds began to burn, most of seri ran away and only one of them remained sitting motionless in the middle of fire. He shouted loudly to the men running from fire: I'd rather be roasted alive than dishonor my name 'seri'. Having heard that one seri remained in the midst of the fire, the elder, in order not to dishonor his name, immediately commanded to put out the fire. When the fire was extinguished, fearless seri was invited to aul with all appropriate honors" (Ismailov, 1992).

In the chivalric culture of *sal* and *seri*, a cult of worship of female beauty emerged, which attached an exceptional importance to love as a feeling, uplifting a person, evoking all the best in him, inspiring to heroism. The works of *sal* and *seri* fascinated by the sensual beauty of the sound, and expressed the beauty of a woman, her flying pace, a quick glance, iridescent laughter in music surprisingly delicately and gently; poetry and music truly became the "mistresses" of the nomadic culture.

The creators of the first epics were military soothsayers, combining in their practices the ritualism of the cult of spirits (war magic rituals) and elements of shamanic ritualism.

Edyge Tursunov, revealing the ritual aspect of *sal* and *seri's* behaviour, writes about the cradles of their origin, development in society. In his opinion, *sal* and *seri* were of high social status, treated the physical labor disparagingly, led a Bohemian lifestyle, were the people of special internal culture and moderation (Tursunov, 2001, 185).

The Chivalric Epos of Sal and Seri

Studying the types of Kazakh folklore bearers, Tursunov raises the issue of Turkic military brotherhoods, where the author leads up the genesis of Kazakh *sal* and *seri* to secret male unions of primitive society through mediated steps of ritual secret unions (Tursunov, 2001, 201). According to the researcher, the original meaning of the word *seri* is "a warrior", "a vigilante".

The main archetypes of *sal* and *seri* were Love and Death. As representatives of the military aristocracy, they were the first to take arms, were distinguished by temerity and

bravery. While in Europe a trouvere only praised the exploits of the knights and the beauty of their ladies, Kazakh sal and seri were fearless warriors, they were in the forefront. Muhtar Magauin writes about that in his novel called "*Kokbalak*": "In bright dresses, *sal* and *seri* attracted the enemy's attention, boldly rushed into danger even unto death, believing that one should not cling to life at all costs".

The art of *sal* and *seri* is mainly an art of warrior caste, which emerged from the existential experiences of the warrior who saw death in the face, who knew the value of life, love, beauty. Laudatory odes of *maktau*, dedicated to the courage of warriors, were, as a rule, performed before the battle in order to ingratiate the protection from the spirits of fallen warriors during the battle and a help to instill the martial spirit. The heroic epos of *sal* and *seri* had an imperative: "To raise a worthy enemy so that he kills you at the beginning of your flight". It was assumed that this unused energy of flight will help to rise even higher in the next life.

The deliberate courage of *sal* and *seri* warriors, intentionally leaving vulnerable places in armors: "There will be no unfulfilled desires (*armany zhok*) of the warrior if he met the enemy that can kill with a stroke in the heart". Open fight was treated higher by *sal* and *seri* than stratagem. *Sal* and *seri* treated the enemies, including the vanquished, with absolute respect. They admired their bravery and courage, noting the dignity and heroism of the enemy, demonstrating a high military etiquette, believing that victory over a worthy opponent elevates the hero. The military culture of Central Asian nomads is characterized by chivalry ethos (the moral values and standards, personal behavior, historical type of morality, mutual respect of the opponents). Heroic death in a fair fight was considered a decent end of life. One of the main features of the knight ethos is idealistic individualism, competition of individuals for the sake of glory, honor. Or, rather, it would be well to speak about a genetic relation of knight ethos with traditional nomadic culture.

Representatives of the military brotherhoods – secret male unions – *sal* and *seri* travelled thousands of miles for a battle of *aitys* (*tartys*) with a person whose fame reached them. Thorstein Veblen writes: "If there was no war, the knights set for travel in order not to get coddled from inactivity, they could not bear hearing about other people's success, they were willing to meet with the praised hero in a duel", the encounter of two knights was necessarily followed by figuring out who was better. The author called knightly brotherhood "the idle class" and believed that in time of peace this class was characterized by "demonstrative idleness", and according to Veblen, it signified the social status (Veblen, 1984, 378).

The book by an Italian researcher Franco Cardini titled *The origins of medieval chivalry* attracts a special interest, in particular the following sections: "Shamans, Warriors, Missionaries", "The Sword and the Cross", "In the Beginning there Was the Power", where the author writes that the sources of origin of European knightly culture are the traditions of equestrian-nomadic civilization of Eurasia, of European aristocracy of Turkic nomads: "The wind of steppe chides in European knighthood tree" (Cardini, 1982). The book reveals the deep prehistory of chivalry as a social and cultural phenomenon, and discusses its technological and military aspects. It traces the formation of the ideological concept of chivalry, of its self-consciousness and social technologies. The Asian East,



Fig. 3: Kazakh musician. Artist Yeraly Ospanov.

says Franko Cardini, "brought not only a regiment of skilled and fearless riders, who plunged the people of Europe into terror and awe, but also a wonderful social and cultural ideal – an image of a warrior on horseback" (Cardini, 1982, 384).

Johan Huizinga refers to the same: "the Germans adopted the cult of weapon and sword and the art of war from the nomads" (Huizinga, 2004). Joseph Campbell describes the knighthood as a social stratum of warriors-defenders, who much later transformed into a quite broad and heterogeneous social group with a specific set of public functions, obligations and rights (Campbell, 1996).

Eric Donald Hirsch notes that a noble origin was of great importance in knight-military culture. The author believes that: "A man should radiate strength. A man should be tall and broad-shouldered. It's not in everyone's power to raise the shield, forged for Achilles, and Hector's spear was eleven cubits in length. The knight must be a skilled athlete and come off the competition with honor" (Hirsch, 1993, 252). These skills also

demonstrate his distinctive class origin, because their acquisition requires free time. The knight is distinguished by his beautiful speech and courtesy, we have in mind not a kind of rhetoric, but a speech that distinguishes the upper strata of the society from the common people.

So, *sal* and *seri* combinated the qualities of a warrior, the talents of *akyns*, *zhyrshy*, composer, artist, decorator, magician, dancer, acrobat, toured the auls only in groups, accompanied by the young people, being at the helm of fests and fun. By their nature, they were close to the traveling singers-musicians. In France they were called *trouveurs*, in German – *minnesingers*, in Russia – wandering comic *minstrels*.

The first period of *sal's* creativity is rich with beautiful epigrams, which depicts an image of *sal* in love, songs, filled with comparative metaphors: "falcon's dream" (sensitivity), "red foxes" (represents the intelligence, disingenuity, cunning).

The middle period of *sal's* creativity: "the status of a teacher", his creative work is full of ethical and didactic edification, the theme "*dunye*" (the evanescence of life) becomes the main theme, songs notifying of the transition from one life cycle to another (age group), artistic images radically transform, acquiring a sacred meaning: a changing world, re-thinking the existence, youth – old age.

The third period of creativity: the status of a demiurge, *zhyrau*, master, "patron", the main idea is the transience of time, spatial and temporal categories including Nature, Space and Universe.

Multifunctionality of *Sal* and *Seri*

Sal and *seris'* behavior and creative works are not just a Bohemianism, fun, foolishness; they encompass an inexplicable depth of universal scale, knowledge of cosmic laws realized in earthly existence. The second function of *sal* and *seri* activities was nurturing the basics of steppe etiquette in youth. As the period of physical, physiological and spiritual formation in traditional society was understood as the transition from children's natural asocial behavior into the age group of its full members. Probably, this task was entrusted to *seri* rather than *sal*, because unlike the extravagance and buffoonery of the latter, *seri* were moderate, tactful, with chivalrous attitude towards others, had fine taste, refined clothes and manners, and showed aestheticism in art.

The main artistic functions of *sal* and *seri* were, on the one hand, helping in springing up a fire of love, and on the other – holding this spontaneous flame in strict social frames. Hence the music – songs and *kyuis* (historical songs) – placed emotional and spiritual essence of love atop.

The third function of *sal* and *seri* activity can be called carnivalesque, playful, idle. This carnival character is related to acting, playing style of *sal* and *seri* behavior. First of all, they are characterized by a high artistic virtuosity, rich poetic and musical, performing and composer's talent, that is, those qualities that have always existed in their creative arsenal.

Sal and *seri* slightly differed from each other, but not so much by their nature as by their appearance and behavior. *Sal* is a descendant of aristocratic family, he performed

magical-ritual functions, devoting his art to the youth, had a special world attitude and status. If *Seri* were restarint, *sals*, on the contrary, were always acting up, wore clothes that provoked laughter and astonishment. Eccentricity, fancy, theatrical behavior, incompliance with regulatory practices were peculiar to them. The type of *sal* and *seri* is Tattimbet with his love lyrics, images of beautiful nature, women, girls. An idle way of living, ritual and erotic conversations with young girls, are reflected in his numerous *kyuis*, born in competitions with beautiful women. Tattimbet has a kyui "*Kyz kuiletu*" or "*Balbyrau*" which literally means bringing a girl off, the explicit eroticism of which was channeled into delicacy and sophistication of sound, a kind of special lyrics dedicated to the most intimate experiences and feelings.

Tattimbet was "a true *seri*, dressed like *seri*, had the same swagger, went in for an extravagance like keeping an umbrella above his head while sitting on a horse, he preferred to own beautiful but impractical things, for it is peculiar to self-sufficient man". A bright successor to the traditions of people's favorites, *sal* and *seri*, itinerant professional poets and musicians with their unusual behavior and high self-esteem, whose superior quality was inner freedom, undoubtedly was Nurgisa Tlendiev. Nurgisa Atabaevich Tlendiev is an outstanding Kazakh composer, conductor, dombra player, teacher and author of more than 500 pieces of music in various genres: songs, kuis, songs, overtures, poems, cantatas, operas, ballets and others.

Etymological Versions of *Sal* and *Seri* Concepts

As to the origin of these words, there are the following points of view. Of the six homonymous monosyllabic roots *sal* presented in Abdu-Ali Kaidarov's book, the second has the meaning "people's favorite, talented in performance and improvisation of songs" (Kaidarov, 2001, 271), the word stands alone, is not associated semantically with the other five. There is a possibility of connection with one of the meanings of Kyrgyz *sal* "a fine fellow, a young and strong guy", *sal usta* "skilled craftsman", *sal manap* "idle youth leading life in entertainment and mischief" (Kaidarov, 2001, 624).

Vasiliy Radlov made an interesting comparison: *sal* in Shor language means "hearth", in Chagai language "clatter and chatter"; in Kazakh language "it is the name of a person who speaks a lot and confidently, makes funny noise, wears funny dresses" (Radlov,1959, 344).

Erkebulat Bekmukhametova interprets the word *seri* as an Arabism meaning "knight (a notable singer – improviser of Kazakhs)" (Bekmuhametov, 1997, 157), and Abdu-Ali Kaidarov associates it to the adjective *sergek* "vigorous", "lively", "sensitive" (Kaidarov, 2001, 273), compare Kazakh sergi "to cool off", "to take breath", Kyrgyz sergy "freshenup", "sweeten", and sergek "vigorous", "awake".

Esmagambet Ismailov connects *seri* with arab *ser-seir* "to wander, to walk". Hence is the word seruen "a walk", "revel", sairan sal "to walk", "to travel", "a grand fest" (Ismailov, 1992, 62). Vasiliy Radov notes that Arab *sir-seir* is close to the Turkic word *sergu*, meaning "to feel oneself a spirit or physically lightweight" (Radlov, 1959, 447).

In Kazakh language *"serilik"* is used as a synonym of *"jigitshilik"* i.e. love affairs. *Seri* means spiritual and physical perfection: "*segis kyrly bit syrly*" – "eight facets of talent in one person", "*seri* – is a poet and a warrior, musician, leader and athlete, orator and prom-trotter, connoisseur of horses and hunting birds etc.".

CONCLUSION

We reviewed the integrity of world picture, its main points, from the perspective of a cultural phenomenon, as culture, being a way of human activity defines and synthesizes all other forms of world cognition. This is the very culturological aspect in which the world picture of traditional Kazakh music was studied. Music has: a systematic organization; a wealth of means of expression; it reflects the diversity of nomad's world in its complex, fine, profound manifestations; is an artistic value; key world modeling element; is able to meet the aesthetic needs of an ethnic group; to determine the picture of the world.

It follows from the above that ethnic identification of music was determined by the world picture which was formed by this ethnos and contributed to the definition of its spiritual identity. The study of the conceptual picture of the world of traditional Kazakh music brought us close to elusive, but fairly real phenomenon called "national spirit" reflecting the spiritual world of the nation. Comprehension and interpretation of cultural significance of music is possible only through immersion into the culture. When using semantic codes – linguocultural concepts, culture determines the concept (it is the mental projection of elements of culture) of music – it is a sphere where linguocultural concept is objectified.

The genesis and the role of linguistic-cultural concept as a global mental (cognitive) unit in its national identity, as designations of national consciousness units modeled by linguistic means, a unit of modeling and description of national concept sphere in the formation of traditional music is very important. The diversity of phenomena of musical culture is captured in a rich system of linguistic concepts, acting as a kind of "self-reflection" of national culture; they have gathered and concentrated musical experience of the past. The analysis of the means of verbalization of concepts will allow to explore ancient ideas about musical concepts. All potencies of the concepts form the national concepts sphere of language, the national and cultural information stored in knowledge bases of representatives of the people.

The life story of *sal* and *seri* is the story of spiritual culture, mentality, social psychology and the view of life of that epoch. *Sal* and *seri*, representatives of the epic tradition, embodied the principle of universal generality in the forms of syncretic activity, were an example of martial honor and valor, both in life and in their creative work. *Sal* and *seri* were a privileged social caste, viewing themselves "the cream", the highest stratum of society, representatives of the aristocratic class who had free time and sufficient resources.

The activities of *sal* and *seri* were initiated by a whole range of factors and forces of social development, relating not only to the sphere of spiritual life, ethics, but also to the military art. *Sal* and *seri* conquered their position with weapon in their hands, valor was the most necessary virtue, and the accusation of cowardice was the worst of insults. The

main, the core virtue of *sal* and *seri* was the concern about honor, the desire for fame and difference, sensitivity to honors and to correspondence thereof to their deserts. Death with glory or life without glory, they chose the first of these two possibilities.

ELEMENT OBLIKOVANJA SVETA V DUHOVNI KULTURI, KI DOLOČA KONCEPTUALNO PODOBO SVETA TRADICIONALNE KAZAŠKE GLASBE

Altynay JUMAGALIYEVA
Kazakh National Academy of Arts named after T. Zhurgenov,
050000, Almaty, Kazakhstan,127, Panfilov street
e-mail: altyn_ai1983@mail.ru

Karima SAKHARBAYEVA
Kazakh National Conservatory named after Kurmangazy
050000, Almaty, Kazakhstan, 86, Abylai Khan Ave
e-mail: karima5252@mail.ru

Aigul ULKENBAYEVA
Kazakh National Conservatory named after Kurmangazy
050000, Almaty, Kazakhstan, 86, Abylai Khan Ave
e-mail: guka020@inbox.ru

Svetlana JANSEITOVA
Kazakh National Conservatory named after Kurmangazy
050000, Almaty, Kazakhstan, 86, Abylai Khan Ave
e-mail: bntb@mail.ru

POVZETEK

Predmet preučevanja vnaprej določa nujnost opisovanja narave konceptov v muzikološki podobi sveta: analizo konceptualne podobe sveta tradicionalne kazaške glasbe, ki določa njen položaj v svetovnonazorski strukturi znotraj življenjskega okolja etnične skupine kot oblike praktičnega in duhovnega usvajanja sveta z razlago narodnostne identitete. Bistvo metode kognitivne analize je v razkrivanju konceptov v okviru konceptualne in jezikovne podobe sveta; konceptualna analiza, ki obsega tudi etimološko analizo, s pomočjo katere smo lahko spremljali razvoj vsebine koncepta, od njegove "notranje oblike" do njegove sodobne vsebine. Eden od najpomembnejših dejavnikov, ki opredeljujejo etnične poteze v podobi kazaškega sveta, je edinstvena harmonija med človekom in univerzumom, človekom in kulturo, človekom in družbo. Zato je bilo primerno uporabiti kulturološke metode raziskovanja. Eden od poglavitnih raziskovalnih ciljev je bil "potop" v zgodovinsko oddaljeno kulturo, pri čemer je hermenevtična metoda postala sredstvo spoznavanja kulturne "kode". Metoda etimološke analize nam je omogočila odkrivanje kulturnih informacij, ki so sodobnemu človeku skrite. Etimološko preučevanje konceptov je razkrilo spremembo v semantiki in v področju delovanja, prepletanje različnih pomenov, ki presegajo skupni izvor in področje delovanja.

Ključne besede: podoba sveta tradicionalne kazaške glasbe, koncept in konceptualni svetovni nazor, nosilci tradicionalne kazaške glasbe, ustvarjalne funkcije sal in seri ter njune tipične značilnosti

SOURCES AND BIBLIOGRAPHY

Aitchinson, D. (2012): The Connection of the Thought Processes with Linguistic Categories: an Introduction to the Mental Lexicon. London, Wiley-Blackwell.

Arutyunova, N.D. (1998): The language and the world of man. Moscow, Russian Language Culture.

Babushkin, A. P. (1996): Types of concepts in lexical semantics of the language, phraseology. Voronezh, Voronezh State University Press.

Bekmuhametov, E.B. (1997): Arab and Persian Words in Kazakh Language. Dictionary of Definitions. Almaty, Rauan.

Brown, P. (2003): Linguistic Description of Concept in Cultural Aspect. Cambridge: Cambridge University Press.

Campbell, Joseph (1996): The Hero with a Thousand Faces. New York, MJF Books/ Barnes & Noble Books.

Cardinic Franko (1982): Alle radici della cavalleria medievale. Italy, La Nuova Italia.

Cherneiko, L.O., Ho Son Tae (2001): Concepts of life and death as fragments of Russian language picture of the world. Philology, 5, 128.

Frumkina, P.M. (1992): Concept, category, prototype. Linguistic and extralinguistic semantics. Moscow, Institute of Scientific Information on Social Sciences.

Geertz, Clifford (1973): The interpretation of cultures. New York, Basic Books, Inc. Puhlishers.

Halliday, M.A.K. (1978): On Conceptual Analysis in Culture. Logical Analysis of Language. Cultural Concepts. London, Arnold, 256.

Hirsch, E.D. Jr (1993): The Knight and the Bourgeoisie: A Study on the History of Morality. NewYork, Vintage Books.

Huizinga, J. (1955): *Homo Ludens*: A Study of the Play Element in Culture. Boston, Beacon Press.

Ismailov, E. (1992): Akyns. Almaty, Kazgosizdat.

Jackendoff, Ray (2002): Foundations of Language: Brain, Meaning, Grammar, Evolution. Oxford, Oxford University Press.

Kaidarov, A.T. (2001): The Structure of Monosyllabic Roots and Bases in Kazakh Language. Almaty, Science.

Kurmangaliyeva, M. S. (2005): Mukhit Sal. Almaty, Dike Press.

Langacker, R.W. (1999): Concept, Image and Symbol: The Cognitive Basis of Grammar Text. New York, Moutonde Gruyter.

Magauin, M. (2004): Kokbalak: novels, short stories. Almaty, Atamura.

Mahadi, T.S.T., Jafari, S.M. (2012): Language and Culture. International Journal of Humanities and Social Science, 2, 17, 230–235.

Maslova, V.A. (2004): Cultural Linguistics. Moscow, Academy.

Radlov, V.V. (1959): Experience of Dictionary of Turkic Languages. London, Publishing House of Oriental Literature.

Stepanov, Yu. S. (2007): Concepts. A thin film of civilization. Moscow, Languages of Slavic Cultures.

Tursunov, E.D. (2001): Origins of the Turkic Folklore. Almaty, Dike Press.

Veblen, T. (1984): The Theory of the Leisure Class. New York, Yale University.

Vezhbitskaya, A. (1999): Semantic Universals and Description Language. In: Bulygin, T.V. (ed.): Semantic Universals and Description Language. Moscow, Languages of Russian Culture, 263–305.

Zataevich, A.V. (1963): 1000 Songs of Kazakh Nation. Moscow, Muzgiz.

Zhubanov, A.K. (1966): Nightingales of the Centuries. Almaty, Zhazushy.

Received: 2015-05-26 UDC 78.01:81'373.46(574)
Original scientific article

MUSICAL TERMINOID REMARKS AS A MEANS OF INTERPRETATIVE READING OF THE TEXT AND DETERMINANTS OF MUSICAL INTONATION CHARACTERISTICS

Svetlana JANSEITOVA
Kazakh National Conservatory named after Kurmangazy
050000, Almaty, Kazakhstan, 86, Abylai Khan Ave
e-mail: bntb@mail.ru

Layla KALIAKBAROVA
Kazakh National Conservatory named after Kurmangazy
050000, Almaty, Kazakhstan, 86, Abylai Khan Ave
e-mail: lkaliakbarova@mail.ru

Svetlana BALAGAZOVA
Kazakh National Pedagogical University Abai
050010, Almaty, Kazakhstan, Dostyk ave.13
e-mail: balagasova1963@mali.ru

Aisulu KALDAYAKOVA
Kazakh National Conservatory named after Kurmangazy
050000, Almaty, Kazakhstan, 86, Abylai Khan Ave
e-mail: viprincess@inbox.ru

ABSTRACT

Musical remarks, as a specialist's communicative space, the environment of his «linguistic existence», have their own terminological system and are a symbolic representation of knowledge, providing mutual understanding between scientists in musicological field. The problem of inseparable unity of composer's style and expressive-verbal means of musical intonation has been studied insufficiently in both linguistics and musicology. Pragmatic analysis of musicological texts, in particular, the piano and vocal scores, will give the possibility to identify music as the intonation-artistic activity, which is not just a reflection, but an expression of personality sense; to reveal the peculiarities of musicological discourse functions through describing the key strategies and tactics of composer and performer's verbal behavior, reflected in musical terminoid remarks.

Key words: musical remarks, intonation as a basis of musical expressiveness, modality differentiation.

INDICAZIONI MUSICALI 'TERMINOIDI' QUALE CHIAVE DI LETTURA INTERPRETATIVA DI UN TESTO E DETERMINANTE DELLE CARATTERISTICHE DI INTONAZIONE MUSICALE

SINTESI

Indicazioni musicali, nel senso dello spazio comunicativo di uno specialista, l'ambiente della sua 'esistenza linguistica', formano un proprio sistema terminologico e sono rappresentazioni simboliche del sapere che permette una comprensione reciproca tra gli scienziati del campo musicologico.

Un'analisi pragmatica di testi musicologici, in particolare delle partiture e riduzioni per pianoforte, identificherà la musica come un'attività artistica-intonativa che non è una semplice riflessione, ma una vera espressione di un pensiero personale, e, attraverso descrizioni delle principali tattiche e strategie del comportamento verbale del compositore ed esecutore, che si riflette nelle indicazioni musicali terminoidi, rivelerà le peculiarità delle funzioni del discorso musicologico.

Parole chiave: indicazioni musicali, intonazione, basi di espressività musicale, differenziazione modale

INTRODUCTION

Musical remarks have not been investigated as a linguistic phenomenon before. This problem was studied only in some aspects, "outside" of the holistic approach to this complex and multifaceted phenomenon. Therefore, it is necessary to define the linguistic status of musical remarks, to reveal their essence, specifics, characteristics, functions, etc. The research foundation of this problem was largely laid by the studies of different aspects of professional sublanguage and terminology, presented in the works by Alla Bragina (1973), Eugen Wüster (1979), Tatiana Vinokur (1993), Lubov Beilinson (2009), Vijay Bhatia (2014), et al. Despite the increased interest in the vocabulary of professional substrate, it remains the least explored area. However recently the interest to musical remarks has significantly increased. The studies in this field were based on the materials of the English and German languages. The dissertations of L.S. Perezman (1978), S.D. Samushia (1979) et al are devoted to musical vocabulary of different languages related to different historical periods.

The relevance of the study of musical remarks is determined by the following reasons: first, the number of verbal and graphical denominations used by musicians to characterize the composition performance or to specify any features of its imagery, has considerably increased in the music art during recent decades; secondly, there is a problem of understanding both the traditional and new concepts related to the means of interpretative

reading in a single concept; thirdly, the issues of interpreting the values and context-stylistic meanings of terminoid remarks, specificity of expression, the music impact and its perception, reflected in the intonation-artistic image of the world, require theoretical generalization. The objective of our study is to provide comprehensive description of terminoid remarks in musical works of composers.

The specified objective of this study determines a set of research methods and techniques. The method of cognitive analysis consists in identification of concepts in the conceptual and linguistic world picture. Distributive method allowed determining contextual and stylistic functions of terminoid remarks in identifying ways of representing musical remarks in musicological text. One of the most important research tasks implies «immersion» into the historically distant culture; therefore, hermeneutic method is a means of understanding «the code» of the culture. The method of discursive analysis implies interpretation of linguistic facts with regard to the knowledge and presuppositions, in correlation of musical remarks with different facts from the Russian and Kazakh cultures, with mental characteristics of the Russian and Kazakh nations; the method of quantitative analysis was used in identifying recurrence (frequency) of musical terminoid remarks in musical text, scores and piano reductions. The method of component analysis allowed dividing terminoid remarks into certain categories.

Scientific novelty of this study consists in the fact that its authors for the first time presented comprehensive description of musical remarks in the works of Kazakh composers; defined linguistic status of musical remarks in integrative linguistic and musicological paradigm; characterized the composer's musical-linguistic style, involving the analysis of a set of intonations, the principles of form generation, and the composite structure of a musical work; identified and described the expressive and stylistic functions of musical terminoid remarks in the works of Kazakh composers, expressing the modality of their musical works and their musical expressive-speech styles; described the degree of communicative recurrence of musical terminoid remarks in score texts, reflecting the dynamics, sound-intonation pattern of a musical work.

The mentioned approaches used to describe musical remarks can be helpful in understanding the pragmatic essence of the terms from other areas of knowledge; the findings of the study could be used within those linguistic-pragmatic trends, where the pragmatic component of the content is attributed to terminoid remarks. With regard to cognitive approach, the acquirement of musical remarks represents implementation of the developed methodological strategies, aiming at the expression of thoughts and perceptions by an individual, understanding the thoughts of others, exercised within the successive-temporal ratio, on the basis of cognitively marked language material.

DISCUSSION AND RESULTS

If a word is the smallest semantic unit of verbal language in linguistics, the intonation is the smallest semantic unit of the music language, which is the "unit of measuring the musical apprehension" (Asafiev, 1971, 345). The theory of Boris Asafiev made intonation a significant communicative unit.

Musical-intonation form as a communicative method

Intonation is understood as a musical turnover with a relatively fixed expression, as a musical turnover with some expressive meaning, as a visual-semantic element of music (Kazantseva, 1999), as the bearer of musical semantics (Aranovsky, 1974), as an expressive-semantic unity, existing in non-verbal audible expression, involving non-musical associations (Kholopova, 2002). Despite the apparent difference in wording, all definitions refer to substantial-semantic aspects of musical sounding. Deborah Stein believes that intonation is a holistic composition, changing only one parameter does not lead to the change of the whole content, but results in a false sound: "thoroughness of performance largely depends on the ability to convey intonation meaning of works" (Stein, 2005, 112). The intonation that can reveal the attitude towards the world is inseparable from the unique experience of the "current moment", it is the reflexive consciousness, the expressed thought that can convey non-objective view of emotions as a mood, express sound ideas as "semantic and sound generalizations" (Sloboda, 2011, 68). We share the opinion of P. Bolinger, who understands intonation as a basis of musical expressiveness and musical sounding (Bolinger, 1983).

While transmitting content into the form of expression, which is realized in the process of generating symbolic sound forms and musical phenomena, musical forms are abstracted into the linguistic elements – terminoid remarks, which verbally specify the composer's intent. Consequently, musical terminoid remarks present the ability to perform intoning (intonation interpretation) of values and the need to intone the cognizable world. Terminoid remarks facilitate the development of sign-symbolic function of the composer's consciousness; it is a system used to record sounds, as well as to convey the structure of musical contexture. There are currently no studies, which consider the inseparable unity of a composer's style and his expressive-verbal (performance) style, which is an integral part of the first. The interpretative means of musical expressiveness include: the nature of performance, tempo-rhythm, agogics, dynamics, articulation, timbre, overall expressivity, which also refer to composer, as composers mostly express their requirements to performance in remarks (verbal or graphic), thus expressing their requirements to the figurative content of the sounding music. Taken together, they form the musical linguistic-verbal style of a composer, which consists of specific set of intonations, the principles of form generation, and the composite structure. Considering a particular sounding composition, its musical linguistic-verbal elements are expressively "painted" through the "modal" interpretative musical pronunciation intended by the composer. The combination of modalities, their flow, their selection and organization can serve as indicators of the composer's speech style.

Terminoid remarks were born in the struggle for the accuracy of conveying musical work and starting from the XVIII century became the integral attribute of musical notation. The linguistic processing specificity of the Italian terminoid remarks, which represent a convenient form of borrowing foreign music language, became the important factor of their fixation and further functioning. These are the words without morphological substitutions – the nouns and uninflected adjectives, adverbs that fully correspond to their

prototypes in the source language, whereas borrowing words belonging to other classes, is associated with the necessity of their grammatical formatting.

The Italian terminoid remarks were formed upon the vocabulary generally used among the professional European musicians, related to the nature of intonation, interpretative features of music, theoretical phenomena. This language acquired the status of some kind of "musical Esperanto", which gradually became well known in the process of music education in all corners of Europe. The role of Italian language in the process of music education also contributed to these Italian remarks borrowed by composers of different nationalities.

The set of remarks, used in the works of modern Kazakh composers, include mostly Italian, Russian and Kazakh lexical tokens and word combinations. The Italian terminoid remarks are the basis of this layer; the Russian terminoid remarks reflect the impact of the Russian musical culture on the development of the European type musical culture in Kazakhstan. The Kazakh terminoid remarks is a phenomenon that has both social and aesthetic roots (they are focused on the national performers) and which has no equivalent in other languages.



Villager playing traditional musical instruments. From Wikimedia Commons.

Types of musical terminoid remarks

This study identified three types of musical terminoid remarks: remarks that indicate certain emotions and feelings, and have emotionally evaluative meanings; remarks, which emotional significance is created by word-forming means; remarks, which lexical meaning includes certain assessment of the denominated phenomena. Only the last two groups of remarks can be called the "emotionally colored vocabulary" (Panksepp, 2009), as the remarks, denoting emotions, etc., are not tinged with these (or other) emotions, but directly express them through their meanings.

Musical remarks in the works of Kazakh composers are of interest because they represent a synthesis of intra-cultural and intercultural relations and reflect contacts between the Eastern and European music. It is important that the use of remarks is organically implemented: the national-unique phenomena are not absorbed. The origins of expressivity are very national, and rooted in songs and instrumental works of the national composers of the XIX century, like Birzhan, Akhan-sere, Madi, Mukhit, Kurmangaza, Dauletkerey. Remarks used in the works of these composers, recorded, in particular, by Alexandr Zataevich, Ahmet Zhubanov, Boris Erzakovich indicate the wealth of musical resources, superior talent of the composers; they subtly and accurately convey the national perception of the world. Alexandr Zataevich, who devoted his life to collecting, studying and working with treasures of folk music, created two monumental collections: "1000 songs of the Kazakh nation" (1963) and "500 Kazakh songs and kyuis" (1931), which reflect not only the tremendous work of a gifted musician, but also a fine connoisseur of the language in the selection of colorful, expressive remarks. It is not just comments on the features of timbre and dynamics, but also the detailed comments to the musical text, full of poetic inspiration, genuine sense of beauty and empathy. The Russian terminoid remarks made Zataevich became a certain link between the original Italian and the Kazakh remarks, performing the role of a conductor in the cross-cultural contacts.

The abundance and variety of sound colors, great expressiveness, emotional intensity, the finest metro-rhythmic weaves – all this is reflected in his remarks. So, in "Salavat-Kyui" the remarks: *slowly, with deep sadness, deliberately, with a grim grandeur, widely, in a sad thought, fervently, desperately, calming down* and others convey deep emotions. Their meanings vary and are detailed in the author's comments to this kyui: "Kyui is composed on the death occasion of his (Salavat – D.S.) beloved son, it reflects sorrow, the father's despair, his being downed by grief, up to the cry of despair in his sorrow" (Zataevich, 1963, 122). The remarks to the song "Ardak" are specific, conveying subtlety, the nuances of portamento, sliding, colorful inter-semitone sliding from one tone to another, emotional openness, expressiveness: *slowly and consistently, with big poetry; at a steady pace and with grace; expanding majestically; even wider, with pastoral serenity; quietly, with gentle simplicity and softness; moderately fast, gently phrasing*. This comment echoes the remarks: "Ardak – is the poetry itself, poetry of a dreamy summer night, the soft moonlight, inexplicable silence of the steppes" (Zataevich, 1963, 94). The following remarks correspond to dynamic intonation development, expressiveness of transitions in the kyui "Abul" (Zataevich, 1963, 380): *with heavy tread, sternly and*

significantly; gradually brightening up; lively with bravura; cheerfully, determinately, brilliantly; quickly, as a rapid stream; easier and quicker. These remarks reflect rhythmic diversity and intonation richness. The musician, even without referring to melodies, feels their interpretative drama – the excellent dynamics of the musical text, sensory-visual and figural-psychological characteristics of a musical style.

Boleslav Yavorsky describes the remarks as «interpretative terms», the author divides musical terminology into two spheres: the «interpretative terms» and the "scientific terms", then, he refers to all the previous concepts as to musical remarks, replacing them by the concept of "images": "Each verbal term is an image in the recorded musical work" (Yavorsky, 1972). It is important to note that musical remarks become not only the interpretative, but also the "compositional" moments of musical work's figural structure and include the following: scientific (term); interpretative (prescript); intonation-artistic content (image). A.D. Khayutin believes that remarks are neither terms nor metaphors, but represent terminoids: "terminological units, representing terms by function, but not serving as such by content" (Khayutin, 1998, 16). Lubov Perezman considers remarks as "imperative sentences with different lexical content..." (Perezman, 1978, 20). Remarks embody a unique idea in a unique form – this proves their novelty and originality; they reflect the mental individuality of the composer, temperament, his/her personality patterns, the aesthetic ideal.

Speaking of intonation, it is necessary to describe the concept of "expression" in detail. Stephen Davies considers the categories like imagery and evaluation as expressive and interprets the expression as "expressive-figurative qualities of speech that distinguish it from the usual, stylistically neutral and make it vibrant, expressive, and emotional" (Davies, 2008). Peter Ostwald notes the role of evaluation and imagery in creating the speech expression: it is these categories that bring "very diverse and subtle evaluative-characteristic shades, that accompany and complicate the speech», and contribute to «creation of patterns and images behind words and expressions" (Ostwald, 2012, 93).

Olga Akhmanova (1966), Ruben Budagov (1970), Alexandr Gvozdev (2005) et al. emphasize close interconnection between the expressiveness and emotionality. Assuming that these words are synonymous, the authors do not find them essentially different and interpret the expression in a broad sense, as expressiveness.

Carroll Izard considers the issues of expressiveness in connection with solution of the following issues: 1. interconnection of expressiveness and emotionality, imagery, evaluation, intensity; 2. correlation of the expressive and stylistic coloring of words; 3. definition of expressiveness as a language and speech category (Izard, 2006). Emotions are multifaceted and are not regarded as separate linguistic phenomena; studying the language of the speaking subject is one of the approaches to understanding human emotions. Expressiveness is based on several groups of interrelated psychological tendencies, which on the one hand are linked to the expression of emotions and feelings, and on the other – to perception.

Emotions as a part of the conceptual linguistic picture of composer's world

This study considers the emotional sphere as a part of the conceptual and linguistic pictures of composer's world; the place of emotions in his conceptual and linguistic pic-

ture of the world; the ways of their lexical expression; the possibility to project emotions to linguistic system; the content and structure of concepts of emotions. The present study considers several modern trends in linguistics and psychology: theories of cognitive psychology and the psychology of emotions (Izard, 2006), linguistics of emotions (Piirainen, 2010), cognitive semantics (Vezhbitskaya, 1999), the theory of lexical-semantic fields (Weisgerber, 1993).

For example, the musical terminoid remark *espressivo* is often met among remarks related to the categorical fields of "communication" and "experience". The authors of this study referred this remark to the "experience" field, due to the meaning of *espressivo* - 'expressive' ('expressing something well, having some special expression'); 'to express' ('to realize, to detect due to any external manifestation') (Wellek, 2001). Proceeding from this understanding, one can assume that *espressivo* 'expressive' in the musical-verbal sense will mean 'with great power, greater energy of inner feelings of personal meaning and artistic realization in the intonation – artistic images'. The remark *espressivo* intensifies the remark 'very gently', 'cheerfully and easily', thereby maintaining the softness of performance. The authors of this study are interested in the signs (both external and internal), which give the possibility (for the composer) to name and to identify his own emotional state and the state of another person, and to adequately describe it in simple lexical forms.

Expressivity and emotionality in music expresses subjective attitude to the said: from the composer's part it means intensification, allocation, the emphasis on the utterance, the expression of feelings, emotions and moods, empowering the utterance with emotional strength, evaluating, achievement of imagery and creating aesthetic effect; and from the performer's part it means retaining and paying specific attention, increased reflection, the emergence of emotions and feelings.

In the musical art, expression means the quality, measure, the power of inner feelings; the nature of the artistic embodiment of personal meaning; the quality of artistic influence on the listener; and the reflection of this influence in perception (Crystal, 1995). These qualities are reflected in musical remarks, indicating the modality of musical speech. Musical remarks perform specific functions, in particular, the incentive, expressive, emotional, the communicative and the figuratively associative function.

Summarizing the observations, one could conclude that musical terminoid remarks – are terminoid words, phrases, expressing the nature of intonation-artistic images and the ways of their musical and artistic (interpretative) embodiment. Remarks define the nature of musical performance with some degree of relativity, contributing to understanding of musical thinking, style, content, emotional mood and poetic essence of a musical work. Remarks as a dynamic phenomenon predetermine the composer's creative idea, being the product of an intelligent creative force – the energy. Their expressiveness and style largely determine the integrity of the moments related to the verbal intonation-artistic flow. Referring to emotional-expressive lexis, musical remarks very accurately and fully reproduce the internal structure of emotions and "infect" the listener with them.

The most contradictory states of human soul are the irresistible delight, vigorous "spill" of energy – *joyfully, playfully*; pinching, desperate, and sometimes rebellious depression, infinite sadness – *sadly*; *glumly*, reflecting various feelings in a musical text,



From Wikimedia Commons.

lead to formation of certain artistic images of the performer. The authors of this study consider it necessary that the qualitative characteristics of the expressiveness of musical remarks along with their relevant modalities be identified and their energetic "tension" be determined.

This study provided the analysis of Kazakh musical works (scores, piano reductions) composed by Alexandr Zataevich, Yerkegali Rakhmadiev, Gaziza Zhubanova, Adil Bestybayev identified individual psychological peculiarities of building musical intonation form, their personal meaning, embodied in their works in the form of terminoid remarks.

Classification of musical remarks into categories

1. Remarks of dynamics, differentiating the power of the sound.
2. Remarks of tempo, determining the absolute length of sounds.
3. Remarks of stroke, expressing articulation, beat, bow pressure, correspond to the expression of dynamic and tempo shades, emphasize the sounds phrasing, and reproduce different sound adornments – the melismas.
4. Remarks of affect, expressing the nature and degree of performance emotionality and musical aesthetic essence of the entire composition.
5. Remarks, serving for denotation of longitudinal-dynamic articulations.

Musical remarks are not related to nomination, like ordinary terms, they contain a call to action expressed by the imperative sentences, representing the unity of the lexical, morphological, syntactic and intonation signs.

The analysis of musical remarks and their classification was based on the stylistic - statistical method with subsequent systematization. Remarks based on common features were combined into lexical, conceptual and categorical fields. The ratio of the quantitative and qualitative characteristics of the fields represents the content of expressive-verbal style of the composer. The lexical field is considered here as "a family of words, formed by no more than one word", united around a certain remark or phraseological combination, e.g. *allegro, allegro assai, allegro con mo to, allegrissimo* – these remarks relate to the common lexical field "Allegro". The conceptual field covers a system of "interrelated concepts, organized around the central concept"; the degree of generality as regards the "central" concept may be different (Trier, 2006). For example, one can combine lexical fields "allegro", "vivace", "presto" into the conceptual field of "rapid pace", however, the tempo groups could be combined as well (low, moderate and fast) into the single conceptual field – "musical tempo". The tempo groups along with characteristics of human movement, nature, etc. (e.g. *in-flight, stumbling, spinning*) could be related to the categorical field of "movement", that is one of the most general categories of being, and in the context of intonation - artistic image of the world it would mean "a musical movement".

While building the logical structure of the world image categories, the authors used fragments of the lexis classification on a conceptual basis, e.g., from the "Human being" group the concept of "soul, mind" was used: "perception", "consciousness", "thinking", "feelings", "will". Having regard to the principles of systemacy adopted in philosophy, psychology, and linguistics, suitable for the objectives of this study, the authors devel-

oped a scheme of the most important categories of the world image with its own logical structure, based on movement: existence (external world) – person, society, their idealization in different types of world image, where they are reflected. Time and space are the basic forms of being, which could be also regarded as "movement in space". The authors replaced it with the notion of "spatiality", e.g.: *wide, far reaching*, *high*. One should consider the structure of the main categories and types of the world image. One categorical field may cover many transitional and "marginal" notions, i.e. their number is infinite. Thus, the category of "feeling" may include the modalities: 'insensitive', 'emotional', 'sensitive', 'sentimental', 'calm', 'emotionally', 'sensual', 'affective', 'passionately', 'hysterical', 'deliriously', 'fiercely', 'irresponsibly', 'furiously', 'frenziedly' and others. (All these modalities are used by composers as remarks).

The above-mentioned classification considered the elements of the multidimensional psychological scaling method by M. Hassler, N. Birbaumer and A. Feil, who use four signs in the analysis of psychological characteristics; three of them are suitable for this study: 1) overall evaluation (good – bad); 2) activity (active – passive); 3) the degree of dominance (strong – weak, dominating – subordinate) (Hassler et al., 1987).

The differentiation of modalities within the categories was carried out by the following groups: with moderate, neutral, medium signs (0), with a predominance of strong, positive signs (+1, +2) and with predominance of weak, negative signs (-1, -2). As a result, the study singled out qualitatively definite (given the relativity of numbers) categorical groups and opposition of modalities, signs of musical images, characteristics of performance.

Table 1. The structure of oppositions of modal signs in a musical work

Categorical fields	Energy				
	Slowdown			Excitement	
	weak, passive			strong, active	
	-2	-1	0	+2	+1
I Spatiality	constrained	shortly		wide	Infinitely
II Objectness	Heavy	Massively		Lightly	Imponderable
III Movement	Very slowly	Slowly		quickly	Very quickly
IV Temperament	Melancholically	Phlegmatically		Cholerically	Sanguine
V Sonority	Very quietly	Quietly		loudly	very loudly
VI Visible effect	invisibly	Greyly		Brightly	glaringly
VII Feelings	Dispassionately	Sensitively		Emotionally	Passionately

Sometimes remarks represent the entire explicit sentences, e.g.: *comme un echo de la phrase entendue precedement* ('as an echo of the phrase that was uttered earlier'). In such cases, one should rely on the determinant feature (concept). In this case, it is "echo", which allows referring the whole remark to the "spatiality" category. If a remark has several categorical signs, it should be referred to several fields. E.g., the remark *egal et doux* 'sounding smoothly and gently' should be considered within the categories of "sonority", "communication" and "feeling". However, defining semantically leading, determinant feature one should choose more substantial and more "personal" categorical field. In the remark *Egal et doux* the category of "communication" that has the deepest and social meaning will be characterized by this field.

It is impossible to study remarks related to a single specific instrument, abstracting away from the whole basis of a musical work, because it combines vocal, instrumental, choral music; the string, wind, percussion, pizzicato, ringing and other instruments in the symphonic music. Each instrument has its own characteristic sound color – timbre. The genesis of the most difficult strokes, intonation and sound performance processes depends on the orchestral, symphonic speech. The effectiveness of the text reading depends primarily on the identification of remarks, and, consequently, these remarks imply understanding of the entire text. Scores provide the opportunity to see the interaction of all remarks, the length of time of their action, composition, dramaturgy, density, rarity, identity, contrast, reflected in the expressive-verbal characteristic of a musical work.

The interpretation of the contents of musical remarks was carried out upon the classification of the styles, describing the essential aspects of human life and his/her relation to reality (contemplation, temperament, passion, emotionality, volitional quality and their unity – the human character), Keeping in mind these aspects, the study identified several types of musical exposure, expressed through musical remarks, e.g.: *profusely, courtly, powerfully, gallantly, sentimentally, brilliantly, bravely, romantically, instinctively, intuitively, impulsively,* etc. Remarks contain a huge number of concepts having various degrees of generality and specificity, e.g.: 'impulsive and intense passion', 'spontaneous emotionality – languor', 'reverent and flaming combustion', etc. Various use of poetic "modalities" having no analogues in conventional remarks, by the composers is especially surprising, e.g.: 'rhythmic pattern in a hue of sad, cold landscape', 'refined dynamic frugality'.

There are two trends in the use of remarks for the Kazakh music: Italian terminoid remarks are used in professional genres – symphonies, sonatas, ballads, nocturnes, etudes (the works composed by Mukan Tulebaev, Gaziza Zhubanova, Yerkegali Rakhmadiev, Kuddus Kuzhamyarov and many others); Kazakh terminoid remarks (semantic tracing from the Italian and the original Kazakh remarks) are used in the records of Kazakh folklore as well as in the works created by professional composers for folk instruments, ensembles and orchestras.

Functions and lexical-grammatical categories of terminoid remarks in the works of Kazakh composers

Functional nature of the remarks predicated a certain lexical and grammatical form of their expression. It is known that nouns, being the main carriers of the meaning, have high

expressive power due to their relatedness to an object: *av*e*c* p*rofond sentiment d'ennui* ('with a deep feeling of sadness, annoyance'), a*vec troubl*e *et* e*ffroi* ('distractedly and in fear'), co*n* a*ff*e*tt*, c*on anima* ('feelingly, enthusiastically'). The author reaches the brightest emotional effect by using homogeneous word forms in prepositional-nominal constructions. The structures of "verbless imperative sentences" are predominant among the existing variety of remarks (Miloserdova, 1973). These structures are considered as stable types, capable to form a number of similar structures. This gives grounds to refer them to functionally full sentences. The independence of remarks from contextual conditions, high degree of their grammatical specifics gives grounds to refer them to structures, typologically deviant from the binomial constructions.

The composers use traditional remarks in symphonic kyuis; these remarks consist of adjectives with adverb elements, which enhance them, particles that convey the expression of dynamism, rapid growth of pace, as well as remarks, which supplement the expression of pressure and clearly update the incentive function, e.g.: a*llg*e*r*o a*ssai* ('very soon'), a*llegr*o *mo1t*o ('very quickly'), poco a poco c*resend*o *(*'intensifying gradually'), p*iu fort*e ('intensifying more and more, widely). Composers use remarks formed by adverbs and tautological repetitions in comparative form at "pressing" the pace: a*ssai viv*o ('very lively, quite vividly')*, p*oco a poco c*resend*o ('intensifying gradually'), p*restissim*o co*n moit*o ('very quickly').

Gerunds bearing the verb projections, retain an instruction for a certain action in their semantics, convey the richness and sophistication of rhythm, the scale of forms, spontaneity of expression: *aumenatand*o ('intensifying'), a*nimand*o ('inspiring'), *stringendo* ('speeding up')*, rit*e*nut*o ('restraining').

Zhubanova's art deserves specific attention. In "The Second Symphony" ("The Island of Women"), she conveys the inner human world surprisingly subtly, through remarks. The symphony has three parts. The "enlightened" figurative line of remarks to the first part (*adagio,* a-*dur*) conveys the harmony of nature and the human world; one can hear wide melodiousness, exposure of feelings, soulful intonations that create deep human images. The remarks occurring in the first part: *calma* ('silence, tranquility')*, cantabile* ('melodiously')*, con delizia* ('cheerfully', admiringly, and delightedly')*, affettuso* ('feelingly')*, chiaro* ('light, clear, and pure'), express relatively calm and even tempo of dramatic development.

The second part (andante) is a focal point of drama and expression, the reflection of storm and loss of life. Gaziza Zhubanova uses dark registers, sinister or emotional timbres, melodic intonations, depicting mumblings, quirky, snake-crawling, chromatic chords. The sound of music is reflected in relevant remarks: *affannato* ('anxious')*, lugubre* ('gloomy'), co*mmosso* ('excitedly, shockingly'), *imp*e*tuose* ('precipitately, gustily'), co*n f*o*rzz*a ('lustily'), *addolorando* ('more and more sad'), a*mmar*e*zza* ('bitterly'), *lamen*тo ('cry, moan, complain, sobbing'). The third part (a*llegr*o-*moder*at*o* a-*moll*) is contrastive and diverse by content. The remarks of this part sound as a decisive and expostulatory voice of the author herself, emanating courageous commitment: *guerie*ro ('fighting'), *avvivando* ('liven up'), *deciso (*'decisively, bravely'). Then the action turns tragic, and the appropriate remarks appear, such as *lugubre* ('gloomily'), *strepitoso*

('noisy, loudly'), *colando* ('ceasing, winding down'), ace*rbament*e ('severely, abruptly'), a*ll'im*pro*vv*i*s*o 'suddenly, unexpectedly'. Vigorous rhythm of life energy concentrated in this part, is manifested "in one breath", like life itself, it is fleeting and beautiful in its duality, which is reflected in the following remarks: co*n* c*ita*t*o ('excitedly, tensely, ardently'), *con* e*nergi*a ('arduously, decisively), *con fuo*so ('fervently, ardently'), *deciso* ('decisively, bravely'), *schietto* ('simply, sincerely'), co*n ve*e*menz*a ('precipitately, unruly, ardently, fitfully').

The play of timbre contrasts and different hues enriches the palette of Zhubanova's works and plays a brightly expressive role, bringing in a strong dynamic charge: co*n* a*gilit*a ('hastily, easily'), a*llegr*o *furi*oso ('quick and fiercely, furiously'), *allegro ma non tr*oppo ('quickly but not too much'), a*ll'im*pro*vvis*o ('suddenly, unexpectedly'). The lofty - lyrical nature of her performance is conveyed by such remarks as *svolazzand*o ('fluttering'), a*vvivand*o ('liven up'), a*ves gr*ace ('gracefully, delicately'), the atmosphere of anxiety is created by such remarks as co*n dis*pe*razion*e ('inconsolable, desperate'), co*n d*o*lor*e ('with pain, anguish, sorrow'), *l*a*ment*oso ('pitifully'). The wealth of lyrical and philosophical content of the work demanded individualized search of the right tempo-rhythm (and especially the right balance of tempo) – the key for disclosing the content of the entire composition.

The strokes used by Gaziza Zhubanova, reflect and emphasize the movement of the topic, they are an axiom for the performer. For example, strokes for stringed instruments: *con tutta la lunghezza dell'erco* ('to play with the entire length of the bow'), *fl*a*ut*a*nd*o ('to play the bow close to the fingerboard'), for percussion and wind instruments: *col* po*lli*ce ('to play with the thumb'), co*n indit*o '(to play with one finger').

Remarks used in the works of the Kazakh folk repertoire are determined by certain socio-cultural objectives and are distinguished by national identity. This caused the formation of four types of the Kazakh remarks: traces from Italian; the induced formations; absolute equivalents and the original Kazakh remarks. The first Kazakh remarks in the editions of notes were traces from the Italian: co*nfu*oco 'conflagrant' – ('отпен'), e*nergi*co 'arduously' – ('жігермен'), *l*a*mmentabil*e 'pathetically' – ('аянышты') and scarcely ever corresponded to musical specificities. In this endeavor, the following remarks appeared in musical editions: қайраттана ('decisively, arduously'), although the lexeme күшті is more often used to describe the images of this type in the Kazakh language.

Except the traces, the induced formations were also used. Thus, the analogue of remark в*urle*sco ('funny') in the Kazakh language – кулкімен. However, в*urle*sco means not just 'funny', but the specifically "painted" humor, which is associated with a gruff, folksy beginning. The remark кулкімен does not reflect this side of the terminoid, although it is not mentioned in the dictionaries, every musician intuitively understands it. Witty, funny music very often has the remark *allegr*o. Its translation ('quickly') is not precise in this case, and the translation 'quickly', 'funny, playful' is only contextually correct.

Some Italian terminoid remarks have certain figurative meaning that cannot be translated into Russian. Such is the remark *l*a*ment*o*so* ('pitifully, grievingly'). One of the accepted translations of the remark is 'crying', but musical experts use the Italian remark

'ламентозо*', (lamentoso)* and its "derivatives" in their works as well: *lamentoso lyrics, a melody in lamentoso style, this piece sounds like lamentoso,* using it in Russian text. The point is that the remark *lamentoso* means «cry, mourn, complaint, sobbing», however this is a nobly generalized cry, transformed into the special musical style. Notwithstanding psychological expressiveness of this cry, it has no mundane effect. Therefore when such kind of cry occurs in the Russian music, the composer puts a remark *lamentoso* ('lamentation, crying, wailing'), and when he plays folkloric or naturalistic cry, he writes *lamentoso* 'crying, weeping'. Absolute equivalents were consequently formed: *allegro maestoso* ('cheerfully, majestically').

Considering the records of the interviews with folk musicians on the content of a certain work, their oral explanations and answers to questions from the audience contained extremely subtle and rich descriptions of the musical content of music, which can be transmitted into the following remarks: күрсіну ('sadly', 'sorrowful', 'groaningly'), мұңды ('drearily'). All these remarks are characterized by the expressiveness of the musical embodiment of the state of grief, sadness. Among these entities, the remarks reflecting specific national ideas about music are of specific interest. It is known that emotional manifestations, as well as aesthetic ideas of different nations have specific shades. It is fully disclosed in the works of the specialists in Japan studies (Grigoryeva, 1978). Thus, *sabi* and *wabi*, meaning "beauty", have different shades: *sabi* ('lofty beauty, with a touch of sadness'), and *wabi* ('rather a mundane pleasure than beauty').

The very Kazakh term, related to the semantic range of sorrowful images, is зар, зарлау ('mourning'). It is a special mourn: it is always expressive and at the same time, it conveys the zeal of collective emotions. The sickly tearfulness, excessive sentimentality is not in the nature of Kazakh зар. It differs from the Russian equivalent by the fact that this remark, in addition to the above-mentioned connection of expression and collective zeal, which is also typical of folk laments and of the Russian songs, conveys a specific shade, which refers to the open and very strained timbre of performance with a voice or its imitation in instrumental timbres. Moreover, in the European music mourn is always performed slowly or at a moderate pace, whereas Kazakh mourns may develop in the instrumental music at a fast pace, which is the special and unique national specifics of the Kazakh зар. Neither mourn, nor "lamentoso" can convey the specificity of this rich Kazakh remark. If the remarks like зарлау are translated into Russian with some distortion and narrow sense, there are remarks, which cannot be translated. For example the remark қоңыр. The direct meaning of the lexeme қоңыр is 'brown", it has the meaning which characterizes the sound of the tone, e.g. қоңыр дауыс ('low, magic voice, with matt, saturated timbre overtones'). This expression captures the sound reality, which is completely unfamiliar for the classical European music. Eastern music has other timbres, other sound material. In the Kazakh music, timbre saturation was considered a valuable expressive quality. In addition, the musical image is always behind the timbre definition.

The music represented by the lexeme қоңыр, for example, қоңыр күй, қоңыр дауыс (дауыс means 'tune, weeping') is always associated with a certain sphere of images. The "borders" of the sphere are varied from outwardly calm and contemplative, but saturated with hidden drama, to the open and tragically reflective ones. Kyui in the қоңыр



T. Atkinson: The group of Kazakhs with two brides. From Wikimedia Commons.

genre is associated with weeping intonations, but it is not зар, зарлау mourn which has a strong collective, magic, expressive-physiological beginning. The mourn represented by the lexeme қоңыр is a tragic reflection of a thinking personality, weeping, associated with the philosophical understanding of life, its transience. If зар, зарлау are characterized by openness, the most expressive қоңыр is characterized by the performance which restrains, impedes the flow of emotion, but this makes the performance even stronger.

CONCLUSION

When the content is transmitted into a form of expression, which is implemented in the process of generating the sound-symbolic forms and musical phenomena, musical form is abstracted into the linguistic elements – terminoid remarks, verbally specifying the composer's intent. What is very important for the music and language abilities – the ability to transform the original concept into a sequence of linguistic elements, where their individual combination present the expression of musical thought. The study of musical flow helped building the basic coordinates: semantic content as the author's emotions reflected in the intonation; the stages of musical consciousness formation through the preverbal «intoned meaning» toward the verbal awareness of the image.

The lexical, conceptual, categorical and structural analysis of the works, created by such Kazakh composers as Alexandr Zataevich and Gaziza Zhubanova, showed that the expressive-verbal composer's style is characterized by a particular system of terminoid remarks. Through their use, the composer conveys his requirements to performance, and accordingly to the character of the figurative content of the sounding music, i.e. the expressive-verbal means of musical intonation are the full-size elements, representing the expressive-verbal characteristics of his musical style. Remarks act systemically at the level of perception, in holistic unity, which is specific for the composer. The advanced approach to terminoid remarks reveals different levels of their artistic patterns, i.e. longitudinal, dynamic, pitch, timbre characteristics, with its specific, historic figurative characteristics and stylistic shades.

Musical remarks that started to develop in the beginning of the XVII century in Italy entered the Russian musical culture along with the borrowed culture and became the means of expressing different shades of performance. Due to large impact of the Russian musical culture on the Kazakh musical culture development, remarks penetrated into the Kazakh culture as well. Tracing and subsequent translation became the basis for creating remarks in the Kazakh language form. This process led to the development of the Kazakh terminoid remarks, which reflect deep features of Kazakh traditional musical thinking.

'TERMINOIDNE' GLASBENE OZNAČBE KOT SREDSTVO ZA INTERPRETATIVNO BRANJE BESEDILA IN OPREDELJEVALEC ZNAČILNOSTI GLASBENE INTONACIJE

Svetlana JANSEITOVA
Kazakh National Conservatory named after Kurmangazy
050000, Almaty, Kazakhstan, 86, Abylai Khan Ave
e-mail: bntb@mail.ru

Layla KALIAKBAROVA
Kazakh National Conservatory named after Kurmangazy
050000, Almaty, Kazakhstan, 86, Abylai Khan Ave
e-mail: lkaliakbarova@mail.ru

Svetlana BALAGAZOVA
Kazakh National Pedagogical University Abai
050010, Almaty, Kazakhstan, Dostyk ave.13
e-mail: balagasova1963@mali.ru

Aisulu KALDAYAKOVA
Kazakh National Conservatory named after Kurmangazy
050000, Almaty, Kazakhstan, 86, Abylai Khan Ave
e-mail: viprincess@inbox.ru

POVZETEK

Pojav novih tehnologij, konceptov, idej in paradigem v informacijskem prostoru zahteva njihovo poimenovanje, iskanje jezikovnih sredstev izražanja, kar narekuje potrebo, da v izbor raziskovalnih interesov uvrstimo tudi glasbene označbe. Glasbene označbe kot komunikacijski prostor strokovnjaka, okolje njegove ‚jezikovne eksistence', tvorijo svoj terminološki sistem in so simbolna reprezentacija znanja, ki omogoča vzajemno razumevanje znanstvenikov na muzikološkem področju.

Vprašanje nerazdružljive enotnosti skladateljevega sloga in izrazno-besednih sredstev glasbene intonacije je tako v jezikoslovju kot muzikologiji premalo raziskano področje. Namen pričujoče raziskave je opredeliti jezikoslovni status glasbenih označb, razkriti njihovo bistvo, specifike, značilnosti in funkcije. S pomočjo pragmatične analize muzikoloških besedil, zlasti partitur in priredb za klavir, bomo prikazali glasbo kot intonacijsko-umetniško dejavnost, ki ni zgolj odsev, temveč izraz osebnega sporočila, ter skozi opise glavnih strategij in taktik v skladateljevem in izvajalčevem besednem vedenju, ki se odraža skozi t.i. terminoidne glasbene označbe, razkrili posebnosti funkcij muzikološkega diskurza.

Ključne besede: glasbene označbe, intonacija, osnova glasbene ekspresivnosti, modalna diferenciacija

SOURCES AND BIBLIOGRAPHY

Akhmanova, O.S. (1966): Dictionary of linguistic terms. Moscow, Soviet Encyclopedia.

Aranovskiy M.G. (1974): Issues of musical thinking. Collection of articles. Moscow, Music.

Asafiev, B.V. (1971): Musical form as a process. Leningrad, Music, 376.

Baumgartner, T., Esslen, M. & L. Jancke (2006): From emotion perception to emotion experience: Emotions evoked by pictures and classical music. International Journal of Psychophysiology, 60, 1, 34–43.

Beilinson, L.S. (2009): Functions of the institutional discourse. Bulletin of the Irkutsk State Linguistic University, Philology, 3, 7, 142–147.

Bhatia, V. (2014): Worlds of Written Discourse: A Genre-Based View (Advances in Applied Linguistics). New York, Bloomsbury Academic.

Bolinger, P. (1983): Intonation and and Gesture. American Speech, 58, 156–174.

Bragina, A.A. (1973): Neologisms in Russian. The manual for students and teachers. Moscow, Education.

Budagov, R.A. (1970): Man and his language (notes on the attitude of people to the literary language). Questions of linguistics, 6, 3–14.

Crystal, D. (1995): The Cambridge Encyclopedia of the English Language. Cambridge, University Press.

Davies, S. (2008): Emotion and expressivity. New York, Cornell University Press, 123.

Dobrovol'skij, D., Piirainen, E. (2010): Idioms: Motivation and etymology. In: K. Kuiper (Ed.): Yearbook of Phraseology. Berlin, New York, De Gruyter Mouton, 73–96.

Grigoryeva, I. (1978): The Japanese artistic tradition. Moscow, Science, 105.

Gvozdev, A.N. (2005): Essays on the style of the Russian language. Moscow, URSS (KomKniga).

Hassler, M., Birbaumer Niels & A. Feil (1987): Musical talents and visual-spatial abilities. Psychology of Music, 15, 141–151.

Izard, C.E. (2006): The Psychology of Emotions. (V. Misnik Trans.). Saint Petersburg, Peter Publishing House.

Kazantseva, L.P. (1999): The musical intonation: (Lecture on the course "Music Content"). Astrakhan, Volga.

Khayutin, A.D. (1998): Term, terminology, nomenclature. Samarkand, Publishing house of the Samarkand State University, 177.

Kholopova, V.N. (2002): Music Theory: Melodic. Rhythm. Faktura. Tematizm. St. Peterburg, Lan'.

Miloserdova, E.V. (1973): Structure of imperative sentences in the German language, doctoral dissertation.Yaroslavl State Pedagogical University named K.D. Ushinsky.

Ostwald, P. (2012): Music and human emotions. Journal of Music Therapy, 3, 3, 93–94.

Panksepp, J. (2009): The emotional sources of "chills" induced by music. Music Perception, 13, 2, 171–207.

Perezman, L.S. (1978): The formation and development of German musical terminology and its expressive-stylistic functions: on the material of the German theoretical musi-

cal terminology and musical terminological remarks, doctoral dissertation. Tashkent University.

Samushia, Sh.D. (1979): Musical terminology in modern Russia, doctoral dissertation. Tbilisi State University.

Sloboda, J.A. (2011): The Musical Mind: The Cognitive Psychology of Music. New York, Oxford University Press.

Stein, D. (2005): Logics of musical composition: music analysis. New York, Oxford University Press, 368.

Trier, J. (2006): Theories of lexical-semantic field- Cambridge, Cambridge University press.

Vezhbitskaya, A. (1999): Semantic Universals and Description Language. Moscow, Languages of Russian Culture.

Vinokur, T.G. (1993): Speaker and listener. Options verbal behavior. Moscow, Nauka.

Weisgerber, L. (1993): Native language and the formation of the spirit. (O.A. Radchenko Trans.). Moscow, Moscow State University.

Wellek, A. (2001): Expressive and dynamic variations and their features. New York, Broude.

Wüster, E. (1979): Introduction to the General Theory of Terminology and Terminological Lexicography. Vienna, Springer.

Yavorsky, B.L. (1927): Article. Memories. Correspondence. Moscow, Soviet composer.

Zataevich, A.V. (1963): 1000 songs of the Kazakh nation. Moscow, Muzgiz.

Received: 2015-05-26 UDC 398:781.7(574)
Original scientific article

NATIONAL TRADITIONS OF THE 21ST CENTURY: PROBLEMS WITH THE PRESERVATION AND TRANSLATION OF KAZAKH TRADITIONAL MUSIC

Gulzada OMAROVA
Kazakh National Academy of Arts named after T. Zhurgenov,
050000, Almaty, Kazakhstan,127, Panfilov street
e-mail: ogulzada@mail.ru

Gulnar ALPEISSOVA
Kazakh National University of Arts in Astana,
010000, Astana, Kazakhstan, 21, Ryskulov street, ap. 15
e-mail: galpeissova@mail.ru

Amankeldi KUSEUBAY
Kazakh National Academy of Arts named after T. Zhurgenov,
050000, Almaty, Kazakhstan,127, Panfilov street
e-mail: amangeldi7773@gmail.com

ABSTRACT

This paper raises questions about the place of Kazakh traditional music, in today's society. In particular, it focuses on the oral-professional art "en-kui-zhyr" (song, instrumental and epical radition). This art reflects one of the highest achievements of Kazakh culture with thousands of examples demonstrating the nation's spiritual heritage. The authors reveal the vitality of Kazakh musical traditions, which developed the culture of Central Asian nomadic civilization. Therefore, despite economic and social disasters at the beginning of the 20th century, these traditions, which have centuries-old history evolution, are alive and in-demand today.

Key words: National traditions, nomadic culture, Kazakh music, folklore, polyphony of cultures, globalization, ethnomusicology

TRADIZIONI NAZIONALI DEL XXI SECOLO: PROBLEMI CON LA CONSERVAZIONE E TRADUZIONE DELLA MUSICA TRADIZIONALE KAZAKA

SINTESI

Il contributo solleva la questione della posizione della musica tradizionale kazaka nella società attuale. In particolare, s'incentra sull'arte orale professionale, en-kui-zhyr

(canzone strumentale di tradizione epica). Questa forma d'arte rappresenta uno dei culmini della cultura kazaka, con migliaia di esempi che formano il patrimonio spirituale della nazione. Gli autori comprovano la vitalità della tradizione musicale kazaka, nata nella cultura di una civilizzazione nomade dell'Asia centrale. Infatti, nonostante i disastri economici e sociali che segnarono l'inizio del Novecento, queste tradizioni con storia secolare sono a giorno d'oggi ancora vive e richieste.

Parole chiave: tradizioni nazionali, cultura nomade, musica kazaka, folclore, polifonia di culture, globalizzazione, etnomusicologia

In the system of traditional culture of nomadic peoples, the leading medium was taken by spatial and temporary types of the art, in particular, poetry and music. Over the centuries, this development led to the creation and flourishing of original classical traditions across a range of Turkic cultures. In Kazakh, this song (*en*), instrumental (*kui*) and epic (*zhyr*) traditions, differ in regional styles of signing and instrumental artistic performance. The sources of this legacy trace their roots back to the ancient Turkic epoch, common for central Asian nations. In Kazakh culture, during the period of the Middle Ages, the original national traditions were formed, which have a certain integrity system, original language and display in different genres of folklore and verbal professional art. It is necessary to say that several thousand samples of musical and musical-poetic creativity, including a work by the author, brilliantly represent the development of the nomadic culture (Omarova, 2002) which was actively functioning in Kazakhstan at the beginning of the previous century.

The backbone of traditional culture, which have centuries of history cannot disappear overnight, even if the state and social system, household-economic system, ideology and spiritual-cultural orientation of the society have changed. The environment of the present functions of Kazakh traditional music at the beginning of 20th century slowly disappeared with the nomadic way of life. There was a disintegration of ethnic social structure and basic grounds of culture. However, as with any other high art form, music is not connected only with the environment in which it was created. It is part of the mentality, outlook, ethnic and artistic culture of a people that can be preserved and developed. People search, or try to understand, not only their current cultural national identity, but also the spiritual basis of their culture. Generally, European classics are based on this law. Music that can be traced back to the epoch of Western-European Renaissance is focused on the timeless artistic content. The traditional music of *tengrism super ethnos* (Mukhambetova, 2002a) possesses the same cultural and spiritual potential. It reaches out beyond the limits of the nomadic routine and the nomadic time period, from the original nomadic Turkic and Mongolian peoples of the Central Asia.

In the traditional music research of Central Asian peoples, the authors apply widely known methods of modern ethnomusicology (Nettl, 1983; Chekanowska-Kuklinska, 1990; Jordania, 2006, Mukhambetova, 2002b et. al). The present article is aimed at a designation

of the most important tendencies of the socio-cultural process that effects on the change of functional Kazakh traditional music in 20th and 21st centuries. Analysis of modern realities in the culture of Kazakhstan has not only theoretical, but also practical value, in connection with the topic of problems dealing with the preservation and development of national musical traditions. The following tasks are detailed in the article: a) exposure of the phenomenon of eastern musical cultures vitality, specifically Kazakh, as a system, which have a civilized bases, b) detection of the consequences of "westernization" in Kazakh music, in the 20th century, and globalization during the 21st century, c) determination of the most important steps in the way of preservation and translation of the Kazakh traditional music.

Today, we state that in spite of its complex position in the system of modern culture, Kazakh traditional music is vivid and in high demand. To the masses, traditional music functions[1] namely as art, but also as folklore, which as it is known to have applied value. The actual ethnic cultural context that generated it, such as ceremonial-ritual functions, has died out. In order to understand the phenomenon of the national musical tradition's vitality as a cultural system,[2] in the eastern people, it is necessary to remember the civilized basis of the cultures, including nomadic ones (Masanov, 1995).

Three epochs, usually separated in the history and culture of the Central-Asian nomad way of life of nomads as: the ancient times including the Sakes, Massagetae, Huns, Wusuns, the average "classical", Turkic and Turkic-Mongolian tribes of 6th–14th century and the "late", Kazakh khanate of 15th–18th century, represent a single spiral of nomad civilization with a specified history of "turns". These "turns" are interdependent and interrelated historical structure. This is specified by scientists as: 1) genetic Sako-Hun period, 2) functional Turkic period and 3) transformed properly Kazakh period (Orazbaeva, 2005).

Altaiy Orazbaeva considers the period of early nomads to be the phase of conceptualization of nomad civilization and its culture. Here the formation of the nomad way of life and archaic layer of the culture was born. During the phase of objectification, the Turkic period began with the formation of ethnic identity, spiritual archetypes, language, ideology and statehood (Orazbaeva, 2005). In the phase of socialization, or the Kazakh period, the improvement of all the subsystems of nomadic civilization and execution of the whole historical mission took place; this laid the foundation for the demonstration of the "programme" of natural and human society evolution (Orazbaeva, 2005, 172). Thus, in this phase, traditional Kazakh society was the bearer of "traditions, style, code, programme and mentality" of nomadic civilization. It should be considered that this phase is some sub-civilization, where peculiarities can be detected on the level of socio-cultural organization (Orazbaeva, 2005, 222).

1 The place of traditional music in the modern culture of Kazakhstan is determined by functioning in the concert practice of professional genres (*en, kui, zhyr*) and their involvement (as the bearers of tradition) in the triad of statehood of the education system in school-college-higher educational establishment.

2 Today we understand that this is not only cultural, but ecocultural systems: "… the world aspires to listen to the authentic music in authentic performance of authentic musicians. The originality, but no eclectics, corresponds to the time, when the ecology of culture became seemingly important notion, as well as the ecology of nature" (Mukhambetova, 2002b, 455).

It is supposed that Kazakh traditional musical culture is one of small number of system integrities, which preserved the socio-cultural experience of the Kazakh society and carried it through the ages, as archetypes and codes of nomadic culture (Omarova, 2012).

Therefore, it seems to be normal that if the applied genres of musical folklore do not function naturally today, the professional Kazakh music as a national tradition didn't lose its meaning and continues to hold some cultural-historical and spiritual substance for Kazakh people. Generally, due to total syncretism of public areas and institutes in the system of nomadic civilization, including economy, policy, science, religion, art and etc., cultural legacy of the civilization, represented mainly by traditional art was preserved.

However, in order to understand what happened with Kazakh music during the last centuries, you only need to look at culture in traditional and modern societies. First, there were *zhyrau* syncretised according to their public functions. In music and poetry these are creators of epos and subjects of individual-author's epic creativity. *Akyn'y, sal'*y and *seri* are improvising poets, authors of the poetic and musical text of songs and simultaneously composers. In modern life, there are only *zhyrshy*, composters or songwriters, and *enshi*, singers. Traditionally, there were *kuishi,* combined singer-songwriters and now basically, *dombyrashi, kobazshy, sybyzgyshy,* artists who are independent from the composing aspect. That is to say if in traditional society there were creators, and now we only have performers, who *reproductive* previously created works[3]. Thus, absence of the traditional first person composition creativity, as a result of absence of the conditions for this creativity, stopped the natural course of the development of Kazakh music. Clearly, it first of all, the regular result of the nation entering into industrial, or the soviet epoch, and post-industrial, current, time frame, with forced-acceleration culture intensified "development of the differential functions."[4]

Peculiarities of Kazakh traditional music's existence on the background of socialism until the obtainment of state sovereignty by the republic were excellently elucidated in the scientific-analytical article "Urban branch of the traditional instrumental music of Kazakh people (up to 1975)", written by Kazakh music expert and cultural studies scholar, doctor Mukhambetova. As shown in scientific works, on the material of Kazakh musical culture, the theoretical conceptions of the famous ethnic musicians of the last century is tied to the destinies of traditional music in the 20th century. Thus, in Kazakhstan already in 1930s the urban branch of traditional culture was actively formed, and its development within the next decades "followed according to the logical scenario that can be considered classical, as in it there are the same processes, which jointly acted in the urbanized eastern cultures in XX century, shown themselves", Mukhambetova writes (Amanov & Mukhambetova, 2002).

3 Speaking strictly, in the system of modern culture, there is nothing in it – the present reproduction of the traditional legacy: music and poetry, music and word in the nomadic society were, first of all, a means of communication and means of the high spiritual communication of people. In the modern culture the genres of traditional music function as the European opuses (in the conditions of concrete form of execution) and are represented only for listening to the musical-aesthetic perception.

4 The term by V. Cabo "Evolution of the culture, at all conditionality of this notion, similarly to the evolution in the nature in some extent is reduced to differentiation and division of the integrated forms and the development of the differentiated functions" (Cabo, 1972, 275).



Singer, called akyn. http://eurasia.travel/kazakhstan/culture/music/

Modernization and "westernization", termed by Bruno Nettle, of Kazakh music in the system of socialistic culture is expressed, mainly, in the transition into written language by the noting of the samples, their numerous processing and transposition, teaching of the traditional musicians by notes, European or concert forms of performance, and orchestral-assembly artistic performance. With the aim of execution of *kuis*, and also the use European works in the Kazakh orchestras with the original musical instruments (*dombra, kobyz*). Their traditional musical system became unified; the forms and constructive building of the instruments changed and naturally led to levelling not only of the natural sound ideal, but also concord and rhythmic structure of the music. Transformed traditional musical samples, in the instrumental and vocal arrangements in popular and symphonic orchestras, piano accompaniment, on the opera scene, etc. All this should in-

spire the thought about the folklore essence of traditional music[5], which could "acquire" professional status according to the laws of European written-musical culture.

The state system of education was focused on popular-orchestral musicians with the corresponding learning programme. In this programme, the actual combination of the instrumentalists of "traditional Kazakh and European repertoire forms eclectic consciousness, unable to interpret deeply both European and Kazakh works" (Amanov & Mukhambetova, 2002). In the complex of musical-theoretical disciplines, the Europeans have always been thea priority until now, with solfeggio, harmony, history of the world music, reading of the score, etc. Similar to the transition from the written methods of study, away from the system of "*ustaz-shekirt*" – "teacher-pupil," and concert forms of artistic performance changed the whole musical thinking of Kazakh musicians. As a result, for example, the multi-variant instrumental *kuis* improvisation, according to its nature is schematized, and solo musicians in the city environment lose their ability to the "rural" composer's creativity.

The village (aul) environment had produced many traditional singers and musicians up until the 1960s. However, the village branch of traditional music in the last quarter of 20th century becomes extinct because of the absence of musical resources and moral support. "The popular musicians in auls, proclaimed as non-professionals, lost the ability to make a living from their own art. Since that time and until now they all are forced to work by other specialties, like sheepherders (shepherds), book-keepers, mechanization experts, teachers, etc. in order to earn a living. In the nomenclature of the specialties and positions specified by the state, there is no column "popular professional…" (Amanov & Mukhambetova, 2002, 14). Thus, the analysis of Kazakh music's modern state shows that "traditional professionalism was equalled to folklore, and its bearers – to non-professional amateurs" (Amanov & Mukhambetova, 2002, 544).

Thus, in the 20th century, the perspective of the development of national musical traditions, at best, was represented as a transformation. Traditions must be set in the system of the new "more advanced culture" and "born again". The composition schools of many eastern countries followed this form, having offered authentic samples of the national opera, symphony, poems, etc. in some hybrid forms, which in each culture found their niche. However, time showed that the way of "indifferent mixing" or "re-melting" of genres and forms can happen. Equal dialogue is possible, or in musical language, - polyphony; polyphonic sounding of the musical cultures, in which all valuables must be kept as the part of general spiritual culture of humankind. Namely, this view on the process of modern functioning of ethnic music was formed during the 1960s, when together with opening and recognition by the world community of eastern cultures, their recognition became inherently valued and self-sufficient. Kazakh musical knowledge in the USSR also actively developed in this direction and formed the theoretical position about oral professionalism of musical cultures of Eastern people (Mukhambetova, 1972).

5 The great power of this reprimand and inertia of thinking demonstrate the used terms "folklore" until now (in relation to the professional genre *en, kui, zhyr*), "folk music", "folk instruments", "folk executor" and accordingly – the departments and faculties of the folk instruments and popular singing in the educational establishments (Omarova, 2009).

In the ethnic musicological school of Kazakhstan, formed during the 1970s and 80s, great attention was paid not only to the historical-theoretical, but also to the practical issues of traditional music. Thus, the Alma-Ata conservatory existed during these years. "It was when ethnic solfeggio for dombrists was created, based on national musical material and musician-improviser modelling of traditional activity…"[6] (Matsievskiy, 1998, 183–196). The results of practical and theoretical developments on the issues of ethnic solfeggio in Kazakhstan were demonstrated during Republican seminars and All-Union conferences. The experience of teachers' work was generalized in academic programmes (Utegalieva, 2005) and the dissertation of studies of young specialists (Alpeisova, 2003). Generally, the courses of ethnic solfeggio, based on the structural-theoretical studies of Kazakh music, were created with the aim of renaissance of traditional norms of musical thinking and authentic creative forms of artistic performance.

However, in spite of the success of musicological science in Kazakhstan and the fruitful practice of progressively thinking musicians and pedagogues in mass knowledge, as well as in socio-political and state educational system, the inertia of forming false representations about relative value of the traditional music was not overcome. Then at the turn of 20th century at the epoch of political independence for the Republic, the previous system of cultural-valuable coordinates, has actually been reproduced (Bujbek, 2009). The difference is only in the scales. The processes of excommunication from ethnic and national musical traditions are passed on now within the frameworks of world globalization. How did it happen?

Up until the beginning of the 21st century, the intensification of the globalization processes took place across the world and some universal vector of world economic development led to internationalization of cultures. Raising "the iron curtain" at the beginning of 1990s and further development of technical-information created the unprecedented obtrusion of values of mass culture through mass media. In post-soviet space, media-productions of western-musicals and pop-culture flourished. In this situation, it turned out that it became more problematic to preserve original spiritual traditions. In the 1970s and 80s, the right of eastern cultures' own way of development is acknowledged, by overcoming of the European centrism. Then in 21st century, humankind turns out to be powerless against the strict laws of the socio-cultural environment created by them. In other words, the conditions of intensive development of the techno and material-economic sphere and the values of culture are either being pushed aside, or being materialized, and finally have become the object of sales and commodity relations, which steadily leads to commercialization.

Thus, today in art, the creation or creator cannot come out to their viewer or listener without producing or promoting, which in turn is impossible without considerable financial contributions. Therefore, the creation of the art is the same, and the rest of it requires advantageous presentation, advertisement, sales, promotion and constant financial sup-

6 Ethnic solfeggio – the course of solfeggio on the material of traditional music. In Kazakhstan its initial name is "Dombra solfeggio", then "Complex course of solfeggio for the faculty of the folk instruments". In 1990s, the ethnic solfeggio course for traditional singers was created.

port. Moreover, the advertisement, sales, and commercial activity in the area of culture and art dictate the directions, tastes and passions. The spiritual consumption, which is similar to the material, flourishing gorgeously today, requires the creator "not to fly" too high and to go down up to the level of mass culture. In this situation, spirituality essentially becomes elite, and the simple statistics show how many followers of musical classics and pop-music there are in the world.

Without going into a deep analysis of the socio-cultural processes in Kazakhstan, we can only say that the issues of the modern existence of Kazakh traditional music arose in the last decade. This is evidenced in scientific and publicist articles, conferences, seminars, round tables, etc. Summarizing these events and publications, we can make a conclusion about the next stage. One-time auctions and projects are not able to revive the lost values of culture. A special long-term state programme must be created to actually rehabilitate traditional music as national musical classics. Accordingly, the social status of musicians, which actually are the modern bearers of cultural and spiritual legacy of the nation, must be restored.

Nonetheless, a full-fledged traditional musical legacy preservation is connected not only with the cultural policy of the state, but with the search for the most optimal and adequate forms of its presentation adequate to the nature of the very music. This practical task, from which solving the future of the national musical classics depends, appeared long time ago and requires an urgent solution. In essence, overcoming the modern executive impresses in the area of musical art, must become the real continuation of the state programme "Cultural legacy" (2004–2011). As it is known within the framework of the realization of this programme the projects "1000 Kazakh kuis" (41 discs) and "1000 Kazakh songs" (50 discs) is very substantial for the Kazakh cultural community. Nevertheless, these audio records, which represent the Anthology of Kazakh instrumental and song tradition, must not only be historical-cultural "monuments" or museum exhibits: only live, can perform their true assignment in the culture (Omarova, 2013, 51–54).

The problem of Kazakh traditional musicians' education – bearers of the song, instrumental and epic cultures – stands out. In the system of professional education of musicians today, the whole programme of education is missing ways and methods of traditional music translation, developed during the past years. Here are the following research and methodical tasks:

- develop means, methods of perception and understating of syncretism and unity of verbal, poetic and prosaic, and musical texts in the content of traditional culture;
- restore methods of upbringing of the musicians since early ages as the singers and instrumentalists together with the parallel development of methods and complex possession of vocal apparatus and instrument;
- study the peculiarities of traditional voice training with the aim of the traditional artistic performance methods and means;
- restore the methods of: a) processing the articulation in the traditional song and epic singing, b) restoration of concord-intonation and rhythmic system of the instrumental music, for which purposes it is necessary to study the stylistic peculiarities of the regional vocal and instrumental styles;

- develop the reproductive methods of the executive culture and artistic behaviour of traditional *enshi/*singers, *kuishi*/instrumentalists and *zhyrshy/*narrator in the modern study.

Therefore, addressing the most actual problems of preservation and translation of Kazakh musical culture on the modern stage, we get the idea that the traditional music must not only be preserved as the spiritual legacy, but can naturally exist and develop in any socio-cultural conditions. It is natural that if in the society the demand of people in their national and cultural-historical identity is alive, "tradition is not an obstacle, and the source of development, as it doesn't go about the return to any archaic forms of the world perception, but only about the achievement and synthesis of the past and present one. Essentially, in the traditions of all spiritual-moral and cultural the human communities achievements, which constantly are in the process of reconsideration, reprocessing and adaptation to the modern conditions, are established in the traditions, and serve the means of further self-improvement to a human and society on the whole…"(Orazbaeva, 2005, 112).

As in today's cultural-historical situation, the problem of preservation of the national traditions in Kazakhstan is extremely important, it is necessary for: a) creation of the complex of social-economic measures on the support of traditional musical culture, b) qualitative renovation of the system of state education of the traditional musicians. As we showed above, this conclusion is based on the following one:

1. In the nomadic culture of Kazakhs the mechanisms of functioning and translation of musical tradition were perfected during centuries. The discrete and natural development of the music was provided by the preservation of historical conditions of its existence.
2. In 20th century in connection with the changes of these conditions the structural basis of functioning of the traditional music and the system of musicians' education were violated. Yet, in spite of the socio-cultural cataclysms in 20th century Kazakh music has survived, using its civilized resource and century inertia of self-development.
3. In 21st century the situation changed. The processes of the actual marginalization of the national culture and music intensified not only in the connection with Kazakhs' urbanization, but also in connection with factors of global order and culture and mass media.

The issue about how traditional music of different nations can developed in modern conditions worries many figures in culture and musical art. As this music was created according to the laws of non-literate creativity, the vivid execution and the deepest contact with the listener, who with their attention and understanding of this music inspired and "moved" the process of creativity. This is important for existence of such classical genres of the eastern cultures as *raga, maqam (maqom, mugam), kui (kai, hai), zhyr (yur, iyur)* etc., where improvisation is a part of the music. Finding a way for further life of these musical traditions, as the most valuable spiritual achievement of humankind, should be one of the primary objectives of modern people.

NACIONALNA IZROČILA 21. STOLETJA: TEŽAVE PRI OHRANJANJU IN PREVAJANJU TRADICIONALNE KAZAŠKE GLASBE

Gulzada OMAROVA
Kazakh National Academy of Arts named after T. Zhurgenov,
050000, Almaty, Kazakhstan,127, Panfilov street
e-mail: ogulzada@mail.ru

Gulnar ALPEISSOVA
Kazakh National University of Arts in Astana,
010000, Astana, Kazakhstan, 21, Ryskulov street, ap. 15
e-mail: galpeissova@mail.ru

Amankeldi KUSEUBAY
Kazakh National Academy of Arts named after T. Zhurgenov,
050000, Almaty, Kazakhstan,127, Panfilov street
e-mail: amangeldi7773@gmail.com

POVZETEK

Prispevek skozi družbeni in kulturni proces spremlja trende, ki so vplivali na: a) strukturno zasnovo funkcij kazaške tradicionalne glasbe; b) tradicionalni sistem glasbenega izobraževanja v 20. stoletju. Avtorji v članku predlagajo rešitve, s katerimi bi v moderni kazahstanski kulturi reševali in razširjali tradicionalno kazaško glasbo.

V raziskavi o tradicionalni glasbi ljudstev Centralne Azije so avtorji uporabili splošno znane metode moderne etnomuzikologije. Namen pričujočega članka je določiti najpomembnejše trende v sociokulturnem procesu, ki vpliva na spreminjanje funkcionalne tradicionalne kazaške glasbe v 20. in 21. stoletju. Analiza sodobne stvarnosti v kazahstanski kulturi ima ne le teoretično, temveč tudi praktično vrednost, povezano s temo o težavah, ki zadevajo ohranjanje in razvijanje narodnih glasbenih tradicij. V članku so tako nadrobno predstavljene naslednje naloge: a) izpostavljanje vitalnosti vzhodnih glasbenih kultur, zlasti kazaške, kot sistema s civilizirano osnovo, b) odkrivanje posledic "pozahodnjačenja" v kazaški glasbi v 20. stoletju in posledic globalizacije v 21. stoletju, c) določanje najpomembnejših korakov na poti k ohranjanju in prevajanju tradicionalne kazaške glasbe.

Ključne besede: nacionalna izročila, nomadska kultura, kazaška glasba, folklora, polifonija kultur, globalizacija, etnomuzikologija

SOURCES AND BIBLIOGRAPHY

Alan, P.M. (1964): The anthropology of music. Evanston, Northwestern University Press.

Alpeisova, G. (2003): Theoretical and practical aspects of ethnic solfeggio in Kazakhstan, doctoral dissertation. Almaty, Kazakh National Conservatory named after Kurmangazy.

Amanov, B.Zh. & Mukhambetova, A.I. (2002): Kazakh traditional music and XX century. Almaty, Dike Press.

Nettl, B. (1983): The Study of Ethnomusicology. Urbana, University of Illinois Press.

Bujbek, A.K. (2009): Song style of Arc in the context of ethnic solfeggio (higher educational establishment course), doctoral dissertation. Almaty, Kazakh National Conservatory named after Kurmangazy.

Cabo, V.R. (1972): Syncretism of the primitive society: by the materials of Australian fine art. Early forms of the art. Moscow, Art, 275–300.

Callot, E. (1954): Civilisation et civilizations: Recherches d'une philosophie de la culture. Paris, Berger-Levrault.

Sachs, C. (1942): The History of Musical Instruments. London, J. M. Dent & Sons.

Czekanowska-Kuklinska, A. (1990): Polish Folk Music: Slavonic Heritage, Polish Tradition, Contemporary Trends. New York, Cambridge University Press.

Danielou, Alain (1950): Northern Indian music. London, Barrie and Rockliff.

Elemanova, S.A. (1984): Methodological preconditions of study of the professionalism of the oral tradition. Issues of the history and theory of music of Kazakhstan. Alma-Ata, Oner.

Elemanova, S.A. (1984): Professionalism of the oral tradition of the song culture of Kazakh, doctoral dissertation. Saint-Petersburg, St. Petersburg Conservatory named after N. A. Rimsky-Korsakov.

Dedes, G. (1996): The Battalname. Sources of Oriental languages and literatures. Cambridge, Mass.

Jordania, J. (2006): Who Asked the First Question? Origins of Human Choral Singing, Intelligence, Language and Speech. Georgia, Tbilisi State University, Logos.

Khazanov, A.M. (1994): Nomads and the Outside World. Wisconsin, University of Wisconsin press.

Kluckhohn, C., Schneider, D.M. (1967): Personality in nature, society, and culture. In: Kluckholn, C., Henry, A., Schneider, David M. (eds.): Personality in nature, society, and culture. New York , Knopf.

Matsievskiy, I.V. (1998): Traditional instrumental culture and musical education on the turn of thousand years. Kurmangazy and traditional music on turn of thousand years: Proceedings of the international conference, devoted to 175-anniversary of Kurmangazy, 9–11 November 1998. Almaty, Dike Press, 183–196.

Masanov, N.E. (1995): Nomadic civilization of Kazakhs. Almaty, Moscow, Sotsinvest, Horizon.

Miller, T.E. (1985): The Survival of Lao Traditional Music in America. Selected reports in Ethnomusicology, 6, 34–35.

Mukhambetova, A.I. (1972): National and international in the music of Soviet Kazakhstan *(to kui problem*). Issues of the theory and aesthetics of the music, 11, 33–49.

Mukhambetova, A.I. (2002a): Tangriam calendar as the basis of nomadic civilization. Almaty, Dike Press.

Mukhambetova, A.I. (2002b): Culturological paradigm of the end of century and system of education of the musicians-populists. In: Amanov, B.Zh., Mukhambetova, A.I. (eds.): Kazakh traditional music and XX century. Almaty, Dike Press.

Mukhambetova, A.I., Amanov, B.Zh., Raimbergenova, S.Sh., Utegalieva, S.I., Omarova, G.N. (1991): Programme of the complex course of solfeggio for the faculty of the popular instruments of musical higher educational establishments. Almaty, Kazakhstan State Committee of educational institutions of arts and culture.

Nadel, S.S. (1930): The Origins of Music. Musical Quarterly, 16, 531–546.

Omarova, G.N. (2000): Type of Culture and Traditional Music of the Kazakh. Proceedings of Asia-Pacific Traditional Arts Forum, 9-12 October, Taipei.

Omarova, G.N. (2002): The type of Culture and Traditional Music of Kazakhs. Traditional culture of nomads. Almaty, Dike Press, 134–149.

Omarova, G.N. (2005): Ethnic solfeggio. Typical academic programme of ethnic solfeggio for the musical schools and colleges (in Kaz. and Rus. language). In: Omarova, G., Murzagalieva, G.: Ethnic solfeggio (teaching manual and music collection). Almaty, Dike Press.

Omarova, G.N. (2009): *Kobyz* tradition. Issues of the study of Kazakh traditional music. Almaty, Kie.

Omarova, G.N. (2012): Kazakh *kui:* cultural-historical context and regional styles, doctoral dissertation. Tashkent, Academy of Sciences of the Republic of Uzbekistan.

Omarova G.N. (2013): Super ethnic communities and types of musical culture of the Central Asia people. Traditional music of Kazakhs and Central Asia peoples: modern state, study, perspectives of the development: Proceedings the International Scientific Conference, devoted to 5 years of the department of traditional musical art of KazNAA and 115th anniversary of T. Zhurgenov, 16–18 October 2014. Almaty, Kazakh National Academy of Arts named after T. Zhurgenov.

Omarova, G. N. (2013): The state programme *"Medeni mura":* projects of Kazakh traditional music. Mysl, 12, 51–54.

Omarova, G., Mukhambetova, A. (2006): Tradition in the fog of modern myth. Mysl, 1, 8–12.

Orazbaeva, A.I. (2005): Civilization of the nomads of Eurasian steppes. Almaty, Dike Press.

Toner, P.G. (2004): Music is Good to Listen to and Good to Think. The Asia Pacific Journal of Anthropology, 5, 1, 71–77.

Utegalieva, S. (2005): Programme of ethnic solfeggio for the dombra students of the popular music facultry. Almaty, Kazakh National Conservatory named after Kurmangazy.

NAVODILA AVTORJEM

1. Revija ACTA HISTRIAE objavlja **izvirne** in **pregledne** znanstvene članke s humanistično vsebino, zlasti s področja zgodovinopisja. Temeljno geografsko območje, ki ga publikacija pokriva, je Istra in mediteranska Slovenija ter vsebine, ki se na podlagi interdisciplinarnih in primerjalnih preučevanj povezujejo s sredozemskimi deželami. Uredništvo uporablja za vse članke obojestransko anonimen recenzentski postopek.

2. Sprejemamo članke v slovenskem, italijanskem, hrvaškem in angleškem jeziku. Avtorji morajo zagotoviti jezikovno neoporečnost besedil.

3. Članki naj obsegajo do 36.000 znakov brez presledkov. Članek je mogoče oddati na e-naslov ActaHistriae@gmail.com ali na elektronskem nosilcu (CD) po pošti na naslov uredništva.
Avtor ob oddaji članka zagotavlja, da članek še ni bil objavljen in se obvezuje, da ga ne bo objavil drugje.

4. Naslovna stran članka naj vsebuje naslov in podnaslov članka, ime in priimek avtorja, avtorjeve nazive in akademske naslove, ime in naslov inštitucije, kjer je zaposlen, oz. domači naslov vključno s poštno številko in naslovom elektronske pošte.

5. Članek mora vsebovati **povzetek** in **izvleček.** Izvleček je krajši (max. 100 besed) od povzetka (cca. 200 besed).
V *izvlečku* na kratko opišemo namen, metode dela in rezultate. Izvleček naj ne vsebuje komentarjev in priporočil.
Povzetek vsebuje opis namena in metod dela ter povzame analizo oziroma interpretacijo rezultatov. V povzetku ne sme biti ničesar, česar glavno besedilo ne vsebuje.

6. Avtorji naj pod izvleček članka pripišejo ustrezne **ključne besede (5–7)**. Potrebni so tudi **angleški (ali slovenski) in italijanski prevodi** izvlečka, povzetka, ključnih besed, podnapisov k slikovnemu in tabelarnemu gradivu.

7. Zaželeno je tudi (originalno) **slikovno gradivo**, ki ga avtor posreduje v ločenih datotekah (jpeg, tiff) z najmanj 300 dpi resolucije pri želeni velikosti. Največja velikost slikovnega gradiva je 12x15 cm. Vsa potrebna dovoljenja za objavo slikovnega in arhivskega gradiva (v skladu z Zakonom o avtorski in sorodnih pravicah) priskrbi avtor sam in jih predloži uredništvu pred objavo članka. Vse slike, tabele in grafične prikaze je potrebno tudi podnasloviti in zaporedno oštevilčiti.

8. **Vsebinske** *opombe*, ki besedilo še podrobneje razlagajo ali pojasnjujejo, postavimo *pod črto*.
Bibliografske opombe, s čimer mislimo na citat – torej sklicevanje na točno določeni del besedila iz neke druge publikacije, sestavljajo naslednji podatki: *avtor*, *leto izida* in – če citiramo točno določeni del besedila – tudi navedba *strani*. Bibliografske opombe vključimo v glavno besedilo. Primer: (Pirjevec, 2007, 219) ali (Pirjevec, 2007).

Celotni bibliografski podatki citiranih in uporabljenih virov so navedeni v poglavju *Viri in literatura* (najprej navedemo vse vire, nato literaturo). Pri tem avtor navede izključno dela ter izdaje, ki jih je v članku citiral.
Popolni podatki o tem delu v poglavju Literatura pa se glasijo:
Pirjevec, J. (2007): "Trst je naš!" Boj Slovencev za morje (1848–1954). Ljubljana, Nova revija.
Če citiramo *več del istega avtorja iz istega leta*, poleg priimka in kratice imena napišemo še črke po abecednem vrstnem redu, tako da se navedbe med seboj razlikujejo. Primer: (Pirjevec, 2007a) in (Pirjevec, 2007b).
Bibliografska opomba je lahko tudi del vsebinske opombe in jo zapisujemo na enak način.
Posamezna dela v isti opombi ločimo s podpičjem. Primer:
(Pirjevec, 2007a; Verginella, 2008).

9. Pri **citiranju arhivskih virov** *med oklepaji* navajamo kratico arhiva, kratico arhivskega fonda / signaturo, številko tehnične enote in številko arhivske enote.
Primer: (ARS-1851, 67, 1808).
V primeru, da arhivska enota ni znana, se dokument citira po naslovu *v opombi pod črto*, in sicer z navedbo kratice arhiva, kratice arhivskega fonda / signature, številke tehnične enote in naslova dokumenta. Primer:
ARS-1589, 1562, Zapisnik seje Okrajnega komiteja ZKS Koper, 19. 12. 1955.
Kratice razložimo v poglavju o virih na koncu članka, kjer arhivske vire navajamo po abecednem vrstnem redu. Primer:
ARS-1589 – Arhiv republike Slovenije (ARS), Centralni komite Zveze komunistov Slovenije (fond 1589).

10. Pri citiranju **časopisnih virov** med tekstom navedemo ime časopisa, datum izdaje ter strani:
(Primorske novice, 11. 5. 2009, 26).
V primeru, da je znan tudi naslov članka, celotno bibliografsko opombo navedemo pod črto:
Primorske novice, 11. 5. 2009: Ali podjetja merijo učinkovitost?, 26.
V seznam virov in literature izpišemo ime časopisa / revije. Kraj, založnika in periodo izhajanja:
Primorske novice. Koper, Primorske novice, 1963–.

11. Poglavje o virih in literaturi je obvezno. Bibliografske podatke navajamo takole:
- Opis zaključene publikacije kot celote – knjige:
Avtor (leto izida): Naslov. Kraj, Založba. Npr.:
Šelih, A., Antić, G. M., Puhar, A., Rener, T., Šuklje, R., Verginella, M., Tavčar, L. (2007): Pozabljena polovica. Portreti žensk 19. in 20. stoletja na Slovenskem. Ljubljana, Tuma - SAZU.
V zgornjem primeru, kjer je *avtorjev več kot dva*, je korekten tudi citat:
(Šelih et al., 2007)

Če navajamo določeni del iz zaključene publikacije, zgornjemu opisu dodamo še številke strani, od koder smo navedbo prevzeli.
- Opis prispevka v **zaključeni publikaciji** – npr. prispevka v zborniku:
Avtor (leto izida): Naslov prispevka. V: Avtor knjige: Naslov knjige. Kraj, Založba, strani od-do. Primer:
Darovec, D. (2011): Moderna štetja prebivalstva in slovensko-hrvaška etnična meja v Istri. V: Darovec, D. & Strčić, P. (ur.): Slovensko-hrvaško sosedstvo / Hrvatsko-slovensko susjedstvo. Koper, Univerzitetna založba Annales, 129-142.
- Opis članka v **reviji:**
Avtor (leto izida): Naslov članka. Naslov revije, letnik, številka. Kraj, strani od-do. Primer:
Čeč, D. (2007): Nasilne detomorilke ali neprištevne žrtve? Spreminjanje podobe detomora v 18. in začetku 19. stoletja. Acta Histriae, 15, 2, 415-440.
- opis ustnega vira:
Informator (leto pričevanja): Ime in priimek informatorja, leto rojstva, vloga, funkcija ali položaj. Način pričevanja. Oblika in kraj nahajanja zapisa. Primer:
Žigante, A. (2008): Alojz Žigante, r. 1930, župnik v Vižinadi. Ustno pričevanje. Zvočni zapis pri avtorju.
- opis vira iz internetnih spletnih strani:
Če je mogoče, internetni vir zabeležimo enako kot članek in dodamo spletni naslov ter v oklepaju datum zadnjega pristopa na to stran:
Young, M. A. (2008): The victims movement: a confluence of forces. In: NOVA (National Organization for Victim Assistance). Http://www.trynova.org/ victiminfo/readings/VictimsMovement.pdf (15. 9. 2008).
Če avtor ni znan, navedemo nosilca spletne strani, leto objave, naslov in podnaslov besedila, spletni naslov in v oklepaju datum zadnjega pristopa na to stran. Če leto objave ni znano, damo v oklepaj leto pristopa na to stran:
UP ZRS (2009): Univerza na Primorskem, Znanstveno-raziskovalno središče Koper. Znanstveni sestanki in konference. Http://www.zrs-kp.si/SL/kongres.htm (2. 2. 2009).
Članki so razvrščeni po abecednem redu priimkov avtorjev ter po letu izdaje, v primeru da gre za več citatov istega / istih avtorja/-jev.

12. **Kratice** v besedilu moramo razrešiti v oklepaju, ko se prvič pojavijo. Članku lahko dodamo tudi seznam uporabljenih kratic.

13. Pri **ocenah publikacij** navedemo v naslovu prispevka avtorja publikacije, naslov, kraj, založbo, leto izida in število strani (oziroma ustrezen opis iz točke 10).

14. Prvi odtis člankov uredništvo pošlje avtorjem v **korekturo.** Avtorji so dolžni popravljeno gradivo vrniti v enem tednu. Širjenje obsega besedila ob korekturah ni dovoljeno. Druge korekture opravi uredništvo.

15. Za dodatna pojasnila v zvezi z objavo člankov je uredništvo na voljo.

UREDNIŠTVO

ISTRUZIONI PER GLI AUTORI

1. La rivista ACTA HISTRIAE pubblica **articoli scientifici originali e rassegne** relativi alla sfera degli studi umanistici, in particolare la storiografia. L'area geografica di base coperta dalla pubblicazione include l'Istria e la parte mediterranea della Slovenia, nonché tutti gli altri temi che si ricollegano al Mediterraneo in base a studi interdisciplinari e comparativi. Tutti gli articoli vengono recensiti. La recensione è completamente anonima.

2. La Redazione accetta articoli in lingua slovena, italiana, croata e inglese. Gli autori devono garantire l'ineccepibilità linguistica dei testi.

3. Gli articoli devono essere di lunghezza non superiore alle 36.000 caratteri senza spazi. Possono venir recapitati all'indirizzo di posta elettronica ActaHistriae@gmail.com oppure su supporto elettronico (CD) per posta ordinaria all'indirizzo della Redazione.
L'autore garantirà l'originalità dell'articolo e si impegnerà a non pubblicarlo altrove.

4. Ogni articolo deve essere corredato da: titolo, eventuale sottotitolo, nome e cognome dell'autore, denominazione ed indirizzo dell'ente di appartenenza o, in alternativa, l'indirizzo di casa, nonché l'eventuale indirizzo di posta elettronica.

5. I contributi devono essere corredati da un **riassunto** e da una **sintesi**. Quest'ultima sarà più breve (max. 100 parole) del riassunto (cca 200 parole).
Nella *sintesi* si descriveranno brevemente i metodi e i risultati delle ricerche e anche i motivi che le hanno determinate. La sintesi non conterrà commenti e segnalazioni.
Il *riassunto* riporterà in maniera sintetica i metodi delle ricerche, i motivi che le hanno determinate assieme all'analisi, cioè all'interpretazione, dei risultati raggiunti. Si eviterà di riportare conclusioni omesse nel testo del contributo.

6. Gli autori sono tenuti ad indicare le **(5–7) parole chiave** adeguate. Sono necessari anche le **traduzioni in inglese (o sloveno) e italiano** della sintesi, del riassunto, delle parole chiave, delle didascalie, delle fotografie e delle tabelle.

7. L'eventuale **materiale iconografico** (originale) va preparato in formato elettronico (jpeg. / tiff) e consegnato in file separati alla definizione di 300 dpi a grandezza desiderata, purché non ecceda i 12x15 cm. Prima della pubblicazione, l'autore provvederà a fornire alla Redazione tutte le autorizzazioni richieste per la riproduzione del materiale iconografico ed archivistico (in virtù della Legge sui diritti d'autore). Tutte le immagini, tabelle e grafici dovranno essere accompagnati da didascalie e numerati in successione.

8. Le **note a piè di pagina** sono destinate essenzialmente a fini esplicativi e di contenuto. I **riferimenti bibliografici** richiamano un'altra pubblicazione (articolo). La nota bibliografica, riportata nel testo, deve contenere i seguenti dati: *cognome dell'autore*, *anno di pubblicazione* e, se citiamo un determinato brano del testo, anche le *pagine*. Ad es.:
(Isotton, 2006, 25) oppure (Isoton, 2006).

   I riferimenti bibliografici completi delle fonti vanno quindi inseriti nel capitolo Fonti e bibliografia (saranno prima indicate le fonti e poi la bibliografia). L'autore indicherà esclusivamente i lavori e le edizioni citati nell'articolo.
   I dati completi sulle pubblicazioni nel capitolo Fonti e bibliografia verranno riportati in questa maniera:
   Isotton, R. (2006): Crimen in itinere. Profili della disciplina del tentativo dal diritto comune alle codificazioni moderne. Napoli, Jovene.
   Se si citano *più lavori dello stesso autore* pubblicati nello stesso anno accanto al cognome va aggiunta una lettera in ordine alfabetico progressivo per distinguere i vari lavori. Ad es.:
   (Isotton, 2006a) e (Isotton, 2006b).
   Il riferimento bibliografico può essere parte della nota a pié di pagina e va riportato nello stesso modo come sopra.
   Singole opere o vari riferimenti bibliografici in una stessa nota vanno divisi dal punto e virgola. Per es.:
   (Isotton, 2006; Massetto, 2005).

9. Le **fonti d'archivio** vengono citate nel testo, *tra parentesi*. Si indicherà: sigla dell'archivio - numero (oppure) sigla del fondo, numero della busta, numero del documento (non il suo titolo). Ad es.:
   (ASMI-SLV, 273, 7r).
   Nel caso in cui un documento non fosse contraddistinto da un numero, ma solo da un titolo, la fonte d'archivio verrà citata *a piè di pagina*. In questo caso si indicherà: sigla dell'archivio - numero (oppure) sigla del fondo, numero della busta, titolo del documento. Ad es.:
   ACS-CPC, 3285, Milanovich Natale. Richiesta della Prefettura di Trieste spedita al Ministero degli Interni del 15 giugno 1940.
   Le sigle utilizzate verranno svolte per intero, in ordine alfabetico, nella sezione "Fonti" a fine testo. Ad es.:
   ASMI-SLV – Archivio di Stato di Milano (ASMI), f. Senato Lombardo-Veneto (SLV).

10. Nel citare **fonti di giornale** nel testo andranno indicati il nome del giornale, la data di edizione e le pagine:
   (Il Corriere della Sera, 18. 5. 2009, 26)
   Nel caso in cui è noto anche il titolo dell'articolo, l'intera indicazione bibliografica verrà indicata *a piè di pagina*:

Il Corriere della Sera, 18. 5. 2009: Da Mestre all'Archivio segreto del Vaticano, 26. Nell'elenco Fonti e bibliografia scriviamo il nome del giornale. Il luogo di edizione, l'editore ed il periodo di pubblicazione.
Il Corriere della Sera. Milano, RCS Editoriale Quotidiani, 1876–.

11. Il capitolo **Fonti e bibliografia** è obbligatorio. I dati bibliografici vanno riportati come segue:
- Descrizione di un'opera compiuta:
autore/i (anno di edizione): Titolo. Luogo di edizione, casa editrice. Per es.:
Cozzi, G., Knapton, M., Scarabello, G. (1995): La Repubblica di Venezia nell'età moderna – dal 1517 alla fine della Repubblica. Torino, Utet.
Se *gli autori sono più di due*, la citazione è corretta anche nel modo seguente:
(Cozzi et al., 1995).
Se indichiamo una parte della pubblicazione, alla citazione vanno aggiunte le pagine di riferimento.
- Descrizione di un articolo che compare in un volume miscellaneo:
autore/i del contributo (anno di edizione): Titolo. In: autore/curatore del libro: titolo del libro. Luogo di edizione, casa editrice, pagine (da-a). Per es.:
Clemente, P. (2001): Il punto sul folklore. In: Clemente, P., Mugnaini, F. (eds.): Oltre il folklore. Roma, Carocci, 187–219.
- Descrizione di un articolo in una **pubblicazione periodica – rivista**:
autore/i (anno di edizione): Titolo del contributo. Titolo del periodico, annata, nro. del periodico. Luogo di edizione, pagine (da-a). Per es.:
Miletti, M. N. (2007): La follia nel processo. Alienisti e procedura penale nell'Italia postunitaria. Acta Histriae, 15, 1. Capodistria, 321–342.
- Descrizione di una fonte orale:
informatore (anno della testimonianza): nome e cognome dell'informatore, anno di nascita, ruolo, posizione o stato sociale. Tipo di testimonianza. Forma e luogo di trascrizione della fonte. Per es.:
Predonzan, G. (1998): Giuseppe Predonzan, a. 1923, contadino di Parenzo. Testimonianza orale. Appunti dattiloscritti dell'intervista presso l'archivio personale dell'autore.
- Descrizione di una fonte tratta da pagina internet:
Se è possibile registriamo la fonte internet come un articolo e aggiungiamo l'indirizzo della pagina web e tra parentesi la data dell'ultimo accesso:
Young, M. A. (2008): The victims movement: a confluence of forces. In: NOVA (National Organization for Victim Assistance). (15. 9. 2008). Http://www. trynova.org/victiminfo/readings/VictimsMovement.pdf
Se l'autore non è noto, si indichi il webmaster, anno della pubblicazione, titolo ed eventuale sottotitolo del testo, indirizzo web e tra parentesi la data dell'ultimo accesso. Se l'anno di edizione non è noto si indichi tra parentesi l'anno di accesso a tale indirizzo:
UP CRS (2009): Università del Litorale, Centro di ricerche scientifiche di Capodistria. Convegni. Http://www.zrs-kp.si/SL/kongres.htm (2. 2. 2009).

La bibliografia va compilata in ordine alfabetico secondo i cognomi degli autori ed anno di edizione, nel caso in cui ci siano più citazioni riferibili allo stesso autore.

12. Il significato delle **abbreviazioni** va spiegato, tra parentesi, appena queste si presentano nel testo. L'elenco delle abbreviazioni sarà riportato alla fine dell'articolo.

13. Per quanto riguarda le **recensioni**, nel titolo del contributo l'autore deve riportare i dati bibliografici come al punto 10, vale a dire autore, titolo, luogo di edizione, casa editrice, anno di edizione nonché il numero complessivo delle pagine dell'opera recensita.

14. Gli autori ricevono le **prime bozze** di stampa per la revisione. Le bozze corrette vanno quindi rispedite entro una settimana alla Redazione. In questa fase i testi corretti non possono essere più ampliati. La revisione delle bozze è svolta dalla Redazione.

15. La Redazione rimane a disposizione per eventuali chiarimenti.

LA REDAZIONE

INSTRUCTIONS TO AUTHORS

1. The journal ACTA HISTRIAE publishes **original** and **review** scientific articles from the sphere of humanities, historiography in particular. The basic geographic areas covered by this publication are Istria and Mediterranean Slovenia, as well as other topics related to the Mediterranean on the basis of interdisciplinary and comparative studies. All articles are reviewed. The review process is entirely anonymous.

2. The articles submitted can be written in the Slovene, Italian, Croatian or English language. The authors should ensure that their contributions meet acceptable standards of language.

3. The articles should be no longer than 36,000 characters (without spaces). They can be submitted via e-mail (ActaHistriae@gmail.com) or regular mail, with the electronic data carrier (CD) sent to the address of the editorial board. Submission of the article implies that it reports original unpublished work and that it will not be published elsewhere.

4. The front page should include the title and subtitle of the article, the author's name and surname, academic titles, affiliation (institutional name and address) or home address, including post code, and e-mail address.

5. The article should contain the **summary** and the **abstract,** with the former (max. 100 words) being longer than the latter (c. 200 words).
The *abstract* contains a brief description of the aim of the article, methods of work and results. It should contain no comments and recommendations.
The *summary* contains the description of the aim of the article and methods of work and a brief analysis or interpretation of results. It can contain only the information that appears in the text as well.

6. Beneath the abstract, the author should supply appropriate **(5–7) keywords**, as well as the **English (or Slovene) and italian translation** of the abstract, summary, keywords, and captions to figures and tables.

7. If possible, the author should also supply (original) **illustrative matter** submitted as separate files (in jpeg or tiff format) and saved at a minimum resolution of 300 dpi per size preferred, with the maximum possible publication size being 12x15 cm. Prior to publication, the author should obtain all necessary authorizations (as stipulated by the Copyright and Related Rights Act) for the publication of the illustrative and archival matter and submit them to the editorial board. All figures, tables and diagrams should be captioned and numbered.

8. **Footnotes** providing additional explanation to the text should be written at *the foot of the page*. **Bibliographic notes** – i.e. references to other articles or publications – sho-

uld contain the following data: *author, year of publication* and – when citing an extract from another text – *page*. Bibliographic notes appear in the text. E.g.: (Friedman, 1993, 153) or (Friedman, 1993).
The entire list of sources cited and referred to should be published in the section *Sources and Bibliography* (starting with sources and ending with bibliography).

The author should list only the works and editions cited or referred to in their article.
In the section on *bibliography*, citations or references should be listed as follows:
Friedman, L. (1993): Crime and Punishment in American History. New York, Basic Books.
If you are listing *several works published by the same author in the same year*, they should be differentiated by adding a lower case letter after the year for each item.
E.g.:
(Friedman, 1993a) and (Friedman, 1993b).
If the bibliographic note appears in the footnote, it should be written in the same way.
If listed in the same bibliografic note, individual works should be separated by a semicolon. E.g.:
(Friedman, 1993; Frost, 1997).

9. When **citing archival records** *within the parenthesis* in the text, the archive acronym should be listed first, followed by the record group acronym (or signature), number of the folder, and number of the document. E.g.:
(ASMI-SLV, 273, 7r).
If the number of the document could not be specified, the record should be cited *in the footnote*, listing the archive acronym and the record group acronym (or signature), number of the folder, and document title. E.g.:
TNA-HS 4, 31, Note on Interview between Colonel Fišera and Captain Wilkinson on December 16th 1939.
The abbreviations should be explained in the section on sources in the end of the article, with the archival records arranged in an alphabetical order. E.g.:
TNA-HS 4 – The National Archives, London-Kew (TNA), fond Special Operations Executive, series Eastern Europe (HS 4).

10. If referring to **newspaper sources** in the text, you should cite the name of the newspaper, date of publication and page:
(The New York Times, 16. 5. 2009, 3)
If the title of the article is also known, the whole reference should be stated *in the footnote*:
The New York Times, 16. 5. 2009: Two Studies tie Disaster Risk to Urban Growth, 3.
In the list of sources and bibliography the name of the newspaper. Place, publisher, years of publication.
The New York Times. New York, H.J. Raymond & Co., 1857–.

11. The list of **sources and bibliography** is a mandatory part of the article**.** Bibliographical data should be cited as follows:
- Description of a non-serial publication – a book:
Author (year of publication): Title. Place, Publisher. E.g.:
Barth, F., Gingrich, A., Parkins, R., Silverman, S. (2005): One Discipline, Four Ways. Chicago, University of Chicago Press.
If there are *more than two authors*, you can also use et al.:
(Barth et al., 2005).
If citing an excerpt from a non-serial publication, you should also add the number of page from which the citation is taken after the year.
- Description of an article published in a **non-serial publication** – e.g. an article from a collection of papers:
Author (year of publication): Title of article. In: Author of publication: Title of publication. Place, Publisher, pages from-to. E.g.:
Rocke, M. (1998): Gender and Sexual Culture in Renaissance Italy. In: Brown, I. C., Davis, R. C. (eds.): Gender and Society in Renaissance Italy. New York, Longman, 150–170.
- Description of an article from a **serial publication:**
Author (year of publication): Title of article. Title of serial publication, yearbook, number. Place, pages from-to. E.g.:
Faroqhi, S. (1986): The Venetian Presence in the Ottoman Empire (1600–1630). The Journal of European Economic History, 15, 2. Rome, 345–384.
- Description of an oral source:
Informant (year of transmission): Name and surname of informant, year of birth, role, function or position. Manner of transmission. Form and place of data storage. E.g.:
Baf, A. (1998): Alojzij Baf, born 1930, priest in Vižinada. Oral testimony. Audio recording held by the author.
- Description of an internet source:
If possible, the internet source should be cited in the same manner as an article. What you should add is the website address and date of last access (with the latter placed within the parenthesis):
Young, M. A. (2008): The victims movement: a confluence of forces. In: NOVA (National Organization for Victim Assistance). Http://www.trynova.org/ victiminfo/readings/VictimsMovement.pdf (15. 9. 2008).
If the author is unknown, you should cite the organization that set up the website, year of publication, title and subtitle of text, website address and date of last access (with the latter placed within the parenthesis). If the year of publication is unknown, you should cite the year in which you accessed the website (within the parenthesis):
UP SRC (2009): University of Primorska, Science and Research Centre of Koper. Scientific meetings. Http://www.zrs-kp.si/konferenca/retorika_dev/index. html (2. 2. 2009).
If there are more citations by the same author(s), you should list them in the alphabetical order of the authors' surnames and year of publication.

12. The **abbreviations** should *be explained* when they first appear in the *text. You can also add a list of their explanations at the end of the article.*

13. The title of a **review article** should contain the following data: author of the publication reviewed, title of publication, address, place, publisher, year of publication and number of pages (or the appropriate description given in Item 10).

14. The authors are sent the **first page proofs**. They should be returned to the editorial board within a week. It is not allowed to lengthen the text during proof-reading. Second proof-reading is done by the editorial board.

15. For additional information regarding article publication contact the editorial board.

EDITORIAL BOARD

ISSN 1318-0185

Cena: 11,00 EUR